

TENTH DAY

United States Pacific Fleet,  
Commander Marianas,  
Guam, Marianas Islands,  
Thursday, July 3, 1947.

The commission met at 9 a. m.

Present:

Rear Admiral Arthur G. Robinson, U. S. Navy,  
Lieutenant Colonel Henry K. Roscoe, Coast Artillery Corps, United  
States Army,  
Lieutenant Colonel Victor J. Garbarino, Coast Artillery Corps, United  
States Army,  
Lieutenant Colonel William K. Lannan, junior, U. S. Marine Corps,  
Lieutenant Commander Bradner W. Lee, junior, U. S. Naval Reserve,  
members, and  
Lieutenant Commander Joseph A. Regan, U. S. Navy, and  
Lieutenant James P. Kenny, U. S. Navy, judge advocates.  
Joseph Kase, junior, yeoman second class, U. S. Navy, reporter.  
The accused, their counsel, and the interpreters.

The record of proceedings of the ninth day of the trial was read and approved.

No witnesses not otherwise connected with the trial were present.

Taneda, Yasuo, the witness under examination when the adjournment was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

Cross-examined by the accused:

75. Q. You testified that four or five days before the incident, during the evening meal, the head of the hospital said, "Would you like to experiment with prisoners?" Were you the only one that this was asked of, or were there others?

A. At first, I was sitting in front of the head of the hospital, and he asked me this.

76. Q. Did the head of the hospital ask any of the others?

A. He also asked the others.

77. Q. When did he ask?

A. As I recall, the only ones he asked personally were Surgeon Captain Shiota, Surgeon Commander Okamura, and Surgeon Lieutenant Habetani, and as no one was willing, he asked the persons assembled if anyone would like to do so.

78. Q. And what did the persons assembled reply?

A. No one replied to the proposal of the head of the hospital, and the room became very quiet; and everyone had a sort of a distasteful expression on his face.

79. Q. Then, it is correct that everyone was against this proposal of the head of the hospital?

A. Yes.

REPRODUCED TO BE A TRUE COPY:  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.



80. Q. Are you sure that Shirota was present at this assembly?  
A. As Shirota was sitting in front of me, to the right, there is no mistake.

81. Q. Who is the senior officer in this assembly?  
A. Next to the head of the hospital was myself.

82. Q. What was the rank of Kamikawa at this time?  
A. He was a lieutenant.

83. Q. What was Oishi's rank?  
A. He was a lieutenant.

84. Q. Was anything said by the head of the hospital concerning the prisoners after this time?  
A. There was none.

85. Q. Then, is it correct that you knew nothing about the incident until it occurred?  
A. I knew nothing about the incident after this talk that was held in the wardroom.

86. Q. I am going to ask you concerning your reply yesterday. As I recall, you replied, "There are some persons I would like to dispose of. Do you want to do it?" and I am asking, did you use the word "experiment" yesterday in your reply?  
A. I remember using the word "experiment."

87. Q. Do you have any distinct recollection whether Captain Iwanami stated, "Do you want to perform an experiment?" or whether he asked "Would you like to dispose of them?"  
A. It was at this time that he used the word "experiment." He was giving examples of experiments and stated: "Would you like to perform them?"

The accused moved to strike the words "He was giving examples of experiments and stated: 'Would you like to perform them?'" out of the answer on the ground that they were not responsive.

The commission announced that the motion was denied.

88. Q. In reply to the question, "When did you first see the prisoners?" you replied: "In front of the veranda." What was your position on the veranda when you saw these prisoners?

A. The prisoners passed in front of me; therefore, Admiral Hara and the head of the hospital were sitting in front of me. They had been looking in the opposite direction.

89. Q. Then, you were facing toward the road, is this correct?  
A. Yes.

90. Q. What was the distance to the road?

A. This distance was later measured and was about ten meters. We were told by the American investigators to measure the distance, and as we did not have anything to measure with at that time, they said the approximate distance would be all right. I estimated about seven meters; and later, when we actually measured, it was ten meters; and later we reported that there was a difference of two or three meters in the distance, they said that it didn't matter very much. So there may be a mistake in that.

CERTIFIED TO BE A TRUE COPY:

*James P. Kennedy*  
James P. Kennedy,  
Lieutenant, U. S. Navy,  
Judge Advocate.

91. Q. Then, in relation to the entrance of the administration building, which way were you facing?

A. The entrance of the hospital would be located toward the right of where I was sitting.

92. Q. Then, from where you were sitting, you could see the road to the left and to the front of you. Is this correct?

A. The area which I could see was in front of me and toward the left.

93. Q. Then, is it correct that the truck passed in front of you and went toward the left?

A. The sphere which you could look to the left is obstructed. The angle is very shallow, and the road is an uphill road, and if you tried to look you would have to twist your head to see further.

94. Q. Were you the only one who saw the prisoners?

A. I was the only one among the three who saw them. The way they were sitting, the other two could not have seen them.

The judge advocate moved to strike out this answer on the ground that it was the mere opinion of the witness.

The accused made no reply.

The commission announced that the motion was denied.

95. Q. As I recollect, you stated that the three of you were having a conversation on the veranda, and after the Admiral had left, you told Iwanami that thirty minutes previous to the time that the admiral had left, the prisoners had passed by, and that also that thirty minutes previous the adjutant had come from the entrance of the hospital about half way and that he had saluted and returned. Is that correct?

A. As I replied, it was over thirty minutes previously, and also in the part where the adjutant returned toward the entrance, and other to this, it is correct.

96. Q. Then, was the time that Admiral Hara returned and the adjutant came toward the veranda the same time?

A. No, it is not the same time. After the admiral left, he came back, and I told Iwanami that over thirty minutes had passed since the prisoners went up the hill and that Kamikawa had come about thirty minutes after the prisoners had gone up the hill; and, therefore, Kamikawa came while we were still talking to the vice admiral.

97. Q. I am not asking you about the other things. I am asking you about the time between the time that the vice admiral left and Kamikawa came.

A. Over thirty minutes.

98. Q. You testified that Kamikawa saluted and you told him to come forward, he saluted again and left. Is this correct?

A. It is correct that I called to him to come forward and that he saluted twice and left.

CERTIFIED TO BE A TRUE COPY:  
James P. Henry  
Lieut. Junior Grade, U.S. Navy,  
Judge Advocate.

99. Q. What did you think was the reason for Kamikawa coming half way down to the head of the hospital's room, saluting and then returning?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness.

The accused withdrew the question.

100. Q. Isn't it usual for the adjutant to be walking around the administration building and not unusual that he was there that day?

A. He is always around the administration building, and the vice admiral was there, he saluted.

101. Q. In yesterday's testimony, in answer to a question by the judge advocate, you replied that this action had connection with the problem of the prisoners. For what reason was this?

A. Because the head of the hospital was going to do it that day, and I said Kamikawa had saluted and left and then the head of the hospital said, "Then all the preparations must be ready."

102. Q. Then you did not know for what reason Kamikawa came, but you imagined this from what the head of the hospital had said. Is this correct?

A. This is what I thought at the time I was with the head of the hospital.

103. Q. Then, you did not think this when you saw Kamikawa salute. Is this correct?

A. Yes, I thought this only after I talked with the head of the hospital.

104. Q. You testified that the head of the hospital said, "Let's go up the hill together." At first you were following the head of the hospital up, but as it was a general assembly, you thought it was impolite to assemble after the head of the hospital, so you passed the head of the hospital and went up the hill. Is this correct?

A. This is correct.

105. Q. Is it impolite in case of a general assembly to follow the head of the hospital to the general assembly?

A. It is impolite to assemble after the head of the department. In special cases, such as an occasion when he would have an aide or an escort, this would be permissible, but in case of a department head, when no aide or escort is necessary, it would be impolite to assemble after the head of the hospital.

106. Q. Is this naval custom?

A. Yes.

107. Q. When did you hear about this general assembly?

A. It was during the conversation just before I went up the hill with the head of the hospital.

108. Q. From whom did you hear this?

A. From the head of the hospital.

109. Q. Where?

A. On the veranda.

CERTIFIED TO BE A TRUE COPY:

*James P. Kenney*  
James P. Kenney,  
Lieutenant, U.S. Navy,  
Judge Advocate.

110. Q. Did you hear of this before you heard it on the veranda?

A. No.

111. Q. Tell us exactly how the head of the hospital told you about this.

A. The head of the hospital said all of them should be assembled, and I asked, "Is it a general assembly?" and he said, "Yes."

112. Q. When a regular general assembly is called, what method is used?

A. At a general unit, a bugle would be sounded, but at a unit like at the hospital, an oral order would be called out for general assembly, or else it would be relayed to every station that there would be a general assembly at a designated time.

113. Q. What method was used in the general assembly in this case?

A. I do not know, and I did not notice, and as for myself, I heard from the head of the hospital when I was told that it was a general assembly, and I went up with him. I do not know about the others.

114. Q. Then, no messenger came to your station relaying that there would be a general assembly at a designated time?

A. None came.

115. Q. When a general assembly is called, are there certain persons who are designated to remain, or does everyone assemble?

A. All the persons except those on duty at the hospital wards.

116. Q. In this case, was the place of assembly designated?

A. I do not know about when the head of the hospital relayed or called out to everyone, so I do not know.

117. Q. When a general assembly is called, is it customary to assemble in front of the administration building?

A. Usually when general assembly is called, they would assemble in front of the administration building on the playground on the field in front of the nurses' quarters.

118. Q. Do you know if they had assembled that day in front of the administration building or on the field in front of the nurses' quarters?

A. I do not know.

119. Q. You testified that it was impolite to arrive after Iwanami, so you passed him. On what part of the hill did you pass him?

A. After you left the head of the hospital's room, there is about seven or eight meters of level ground and then it turns and goes up hill. I passed him at the turn.

120. Q. From the place you passed him, what is the distance up to the top of the hill?

A. I cannot approximately guess at this instant, but from the head of the hospital's office, it is about one minute's walking distance away.

The commission then, at 10:19 a. m., took a recess until 10:38 a. m., at which time it reconvened.

CERTIFIED TO BE A TRUE COPY:

*James H. Kennedy*  
James H. Kennedy  
Lieutenant, U.S. Navy,  
Sulgoth, Tocoto

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Present: All the members, the judge advocates, the reporter, the accused, their counsel, and the interpreters.

No witnesses not otherwise connected with the trial were present.

Taneda, Yasuo, the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

(Cross-examination continued.)

121. Q. You testified that when you arrived at the scene, Kamikawa came towards you. Where was this place that he came toward you?

A. To the lower left of where the enlisted men were assembled. It was not after he had seen me that Kamikawa came toward me; that Kamikawa already coming in my direction, and I met up with him.

122. Q. Then, is it correct that Kamikawa came toward you, leaving the scene?

A. He was coming away from the scene.

123. Q. Could you see the head of the hospital coming up the hill from where you and Kamikawa were?

A. As it was right in the place of coming up the hill, you may not be able to see it, but usually if you stretched and looked, you could see it.

124. Q. You and the head of the hospital started to come up the hill together and after you passed him, I believe the distance between you and the head of the hospital would not be great. Was the distance great?

A. As the head of the hospital usually walked swiftly when walking, so I sort of ran up the hill, and the distance was close, and, therefore, I told Kamikawa that the head of the hospital would be here immediately.

125. Q. You testified that Kamikawa said everything is all right, and you said to Kamikawa, "The head of the hospital told me to tell you to start"; and as Kamikawa was about to return to where the persons were assembled, you said to him, "As the head of the hospital would be along immediately, report to him directly." Is this correct?

A. This is correct.

126. Q. Why did Kamikawa have to report to you that everything was all right?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness.

The accused replied,

The commission announced that the objection was not sustained.

A. It is because in the navy in case of a general assembly, if a person of superior rank came to the assembly, it would be reported to him for what reason this assembly was and whether everything was all right.

127. Q. In this case when you and the head of the hospital were a short distance apart, that Kamikawa would report to you when he had no reason to report to, I cannot understand. What is the reason for this?

CERTIFIED TO BE A TRUE COPY.

*James P. Kenny*  
JAMES P. KENNY,  
Lieutenant, U.S. Navy,  
Judge Advocate.

A. I think Kamikawa did not see Iwanami, as the head of the hospital, was a fidgety sort of person, he would suddenly stop on his way to some place and look in there. If Kamikawa had seen Iwanami he would not have gone back to the group, but I think he would have gone in the opposite direction.

128. Q. According to your testimony, you testified that the distance between you and Iwanami was short, and as a person would be standing when he was walking, I believe he could be seen. How do you explain this?

This question was objected to by the judge advocate on the ground that it was argumentative.

The accused replied.

The commission announced that the objection was sustained.

129. Q. In your testimony yesterday, you refreshed your memory with a document presented by the judge advocate. Isn't your recollection of this time not definite?

A. No, my memory is not vague. I thought that I would be asked numerous questions, and, therefore, when I testified, there were some points I left out.

130. Q. Do you know the defendant, Tanabe?

A. I do.

131. Q. What was the relation between Tanabe and yourself?

A. The hospital at Dublin was the main hospital and at Tol Island, a branch hospital was established, and I went to Tol as head of the branch hospital. Tanabe was also dispatched to this branch hospital.

132. Q. Do you remember a conversation after the end of the war when you stated to Tanabe, "Kamikawa says that he was not at the scene. What do you think about this?" and Tanabe replied, "I do not know." Do you remember this conversation?

A. I do not remember.

133. Q. Have you never had a conversation with Tanabe concerning this?

A. I do not remember having a conversation with Tanabe concerning this.

134. Q. I am going to ask you frankly: Have you ever conferred with anyone saying that, "As Kamikawa was the adjutant, it would be better if it was stated that he was there"?

A. No, I did not. Kamikawa, way after the end of the war, stated that he did not know anything about the incident, and I remember telling the warrant officers and officers without mentioning Kamikawa that "there is someone among you who is stating that he knows nothing about the incident. I cannot say much for such a person. I do not think this is befitting any person who is above the rank of a warrant officer"; and I also remember stating that "persons with the positions of adjutant, the head of the first section, or persons in high positions, this is not befitting."

135. Q. You testified that when you came to the scene, the lines of stabbers were already lined up. Isn't it that the lines were formed after the arrival of the head of the hospital?

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*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

A. As I stated before: When it is stated columns are lined up, I cannot say explicitly, but just the row in front seemed to be fairly well lined up.

136. Q. Do you remember the line of stabbers being formed after the arrival of the head of the hospital?

A. Also, as investigated by the American authorities, I cannot say definitely. I do not remember. Concerning the stabbing, as I had an attack from diarrhea for two or three days previous to the incident, I did not look at the scene well, and I regret to say that I cannot state definitely as to what occurred there.

137. Q. In yesterday's testimony you testified that Yoshizawa was present and that he did ~~not~~ have a bayonet, but he had a sword. Is this correct?

A. This is correct.

138. Q. How was Yoshizawa dressed at this time?

A. How do you mean dressed? Do you mean was he wearing his coat or shirt?

139. Q. All of these things. What he looked like.

A. He had a sword, and he was not wearing a shirt. I recall this because the other officers and warrant officers did not have their swords, and I noticed that he had one.

140. Q. Did Yoshizawa have this sword at the time the head of the hospital started to make his speech?

A. When I saw him he had a sword. I do not remember when it was that I saw him.

141. Q. Then, you do not know if Yoshizawa brought this sword with him when he arrived on the scene?

A. I do not know whether it was the beginning or not. I just remember seeing him that instant.

142. Q. Then, you do not know when it was that you saw he was with this sword?

A. Yes.

143. Q. At that conversation in the wardroom mess, did Kamikawa say he wanted to experiment on these prisoners?

A. No.

144. Q. Did Lieutenant Oishi?

A. No.

145. Q. Did you ever ask Kamikawa why he came and saluted you that day while you were on the veranda while you were in conversation with Iwanami?

A. No.

146. Q. Did you see Kamikawa report to the head of the hospital on the hill that afternoon?

A. I saw him at the scene.

147. Q. Did you see him report to the head of the hospital on the hill that afternoon?

A. I did.

CERTIFIED TO BE A TRUE COPY:  
*James P. Henry*  
James P. Henry,  
Lieutenant, U. S. Navy,  
Judge Advocate.



148. Q. How close were you to him when he reported?  
A. The distance was only about two or three steps.

149. Q. What did Kamikawa say to him then?  
A. I do not remember distinctly whether he said that the preparations had been completed or that we will begin.

150. Q. How long did you serve with Captain Iwanami at Truk?  
A. From February of 1944 until February or March or April or May of 1946, when he was taken to Moen.

151. Q. Had you ever served with him before?  
A. No.

152. Q. Were you well acquainted with him, having served with him on Truk?  
A. I believe I know him well.

153. Q. Did you always agree with the policies of Iwanami?  
A. Frankly, as a whole, I disagreed with them. He was a person who was not satisfied with what other persons did. He would do it himself. As a soldier, or a surgeon, military doctor, he was a good character. It was very seldom that he asked my opinion.

154. Q. Did you have to go along with him regardless of your own opinions?

This question was objected to by the judge advocate on the ground that it was irrelevant and immaterial.

The accused made no reply.

The commission announced that the objection was sustained.

155. Q. Did Captain Iwanami always observe the chain of command in giving orders, or did he give orders directly to the enlisted men without going through the officers?

A. I will explain it exactly as it was. Sometimes, he would go through the chain of command and at other times, he would order directly to the petty officers and seamen. There were many cases in which I was embarrassed before the enlisted men and seamen because of this.

156. Q. When Iwanami gave minute instructions to the enlisted men stabbars, this was not unusual then?

A. It is unusual for a person who is a department head or of the rank of captain to give orders directly to petty officers. Except in cases of battle, when the department head would take direct command, or in cases of an important ceremony when he would take command, it was usual that he would have his subordinate officers perform his duties for him. In this case, in some instances, Captain Iwanami was a very admirable person. He would perform these things without going through his subordinates, and he would become worried about if this thing was being done or not, and he would do it himself, and in this case I believe this came out.

CERTIFIED TO BE A TRUE COPY:

*Joe P. Kenney*  
James P. Kenney,  
Lieutenant, U. S. Navy,  
Judge Advocate, C.

157. Q. Did you observe whether the stabbers complied with Captain Iwanami's orders and began to stab immediately?

This question was objected to by the judge advocate on the ground that it was misleading the witness.

The accused replied.

The commission announced that the objection was not sustained.

A. For the reason that I replied to the previous question of defense counsel, I do not know.

The witness was duly warned.

The commission then, at 11:25 a. m., took a recess until 2 p. m., at which time it reconvened.

Present: All the members, the judge advocates, the accused, their counsel, and the interpreters.

Robert R. Miller, yeoman first class, U. S. Navy, reporter.

No witnesses not otherwise connected with the trial were present.

Taneda, Yasuo, the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

Reexamined by the judge advocate:

158. Q. While you were being cross-examined you were questioned concerning the conversation you had with Captain Iwanami in the wardroom of the Fourth Naval Hospital and you testified that he gave you examples of experiments. Will you tell us what he said?

A. Many experiments were spoken about, and I, as a doctor, knew about many experiments. I cannot remember what experiments he talked about, but he explained in two categories such as experiments with bacteria would be all right, also experiments with external wounds would be all right.

Neither the judge advocate nor the accused desired further to examine this witness.

The commission did not desire to examine this witness.

The witness made the following statement:

In cross-examination there was some confusion concerning my testimony concerning the times when the adjutant appeared and when the admiral left. It may have been a slip on my part, or it may have been a mistake of the interpreter, but it was over thirty minutes since I saw the prisoners going up the hill until I saw the adjutant, and thirty minutes after that the admiral left and then we went up the hill. That is to clarify my testimony. There is nothing more that I can state definitely concerning this incident and I regret that due to my sickness that I could not reply definitely to the defense counsel to the events occurring on top of the hill.

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*James M. Kenny*  
James M. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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The witness was duly warned and withdrew.

A witness for the prosecution entered and was duly sworn.

Examined by the judge advocate:

1. Q. State your name and former rank.  
A. Kikuchi, Gere, corpsman petty officer second class.
2. Q. If you recognize these accused, state their names and ranks.

The witness correctly identified all of the accused.

3. Q. Were you ever stationed on Truk Atoll?  
A. I have had duties at the Fourth Naval Hospital at Truk.
4. Q. Will you tell us between what dates you served with that hospital?  
A. From the twenty-third of August, 1943, till the fifth of January, 1946, when I was taken into custody at Truk.
5. Q. What were your duties at that hospital in July, 1944?  
A. I was stationed in the out-patients' examination room.
6. Q. Have you ever seen any prisoners of war at the hospital?  
A. Yes.
7. Q. Can you tell us when that was?  
A. In July, 1944.
8. Q. And where did you see them?  
A. At the hospital.
9. Q. When you say at the hospital, what do you mean?  
A. In July, 1944, I saw two prisoners killed at the hospital.
10. Q. Were they killed in the hospital or some place near the hospital?  
A. As I recall, on the hill back of the hospital officers' quarters.
11. Q. Will you tell this commission how you happened to go up on that hill?  
A. This day I was on duty at the out-patients' examination room. In the afternoon, the person who was stationed in the dentist's room next door said he had heard there were two American prisoners on the hill in back of the hospital and also that everyone of the hospital had climbed there and I went there.

The accused moved to strike the words "he had heard there were two American prisoners on the hill back of the hospital" out of the answer on the ground that they were hearsay.

The judge advocate made no reply.

The commission directed that the words be stricken out.

CERTIFIED TO BE A TRUE COPY:

*James M. Kenny*  
James M. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

12. Q. When you got on top of that hill, what did you see?

A. When I arrived there, I saw many persons from the hospital there and there were some whom I presumed to be stabbers who were armed with bayonets and spears. There were also spectators who were divided into officers and enlisted men.

The accused moved to strike the words "whom I presumed to be stabbers" out of the answer on the ground that they were the mere opinion of the witness.

The judge advocate concurred.

The commission directed that the words be stricken out.

13. Q. Where were the two prisoners when you first got up on top of the hill?

A. When I first arrived, the prisoners were sitting on the ground.

14. Q. What happened then?

A. Shortly, the prisoners were tied to a tree.

15. Q. Will you describe just how they were tied?

A. The two prisoners were blindfolded with their hands behind their backs and as I recall they were tied to the tree together.

16. Q. Do you mean when you say tied to a tree together that their backs were together or that they were dangling from a tree?

This question was objected to by the accused on the ground that it was leading.

The judge advocate withdrew the question.

17. Q. When you say both were tied together, do you mean that one prisoner was tied to the other prisoner?

A. They were tied facing the stabbers, one on one tree and another on another tree.

18. Q. Who tied them to these trees?

A. I do not know.

19. Q. After they were tied to the tree what happened then?

A. Shortly after they were tied, the head of the hospital and another officer came.

20. Q. Who was the other officer who came with the head of the hospital?

A. As I recall, the adjutant, Lieutenant Commander Kanikawa.

21. Q. When you say Kanikawa, is this the man you mean, this Kanikawa?

Indicating the accused, Kanikawa, Hidakira.

A. Yes.

22. Q. Is that the first time that you had seen Lieutenant Commander Kanikawa on the hill that afternoon?

A. It is the first time.

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*James P. Kennedy*  
James P. Kennedy, Esq.,  
Lieutenant, U. S. Navy,  
Judge Advocate.

23. Q. After you saw Captain Iwanami and Lieutenant Commander Kamikawa, what happened then?

A. Captain Iwanami faced toward the persons whom I presumed to be stabbers and the enlisted men and made a speech.

24. Q. Were these men that he was facing armed?

A. The persons whom I believed to be the stabbers were armed.

25. Q. How were they armed?

A. They were lined up facing the prisoners, one line had rifles with fixed bayonets and one line had spears.

26. Q. Was there an officer in charge of these men?

This question was objected to by the accused on the ground that it was leading.

The judge advocate withdrew the question.

27. Q. Was there anyone in charge of these men?

A. I do not remember distinctly concerning a person in charge.

28. Q. After Iwanami finished his speech what happened then?

A. After the speech, Captain Iwanami spoke to Lieutenant Oishi and Lieutenant Oishi gave the order to begin.

29. Q. When you say Lieutenant Oishi, is this the Oishi you mean? Indicating the accused, Oishi, Tetsuo.

A. Yes.

30. Q. And after Lieutenant Oishi had given the order to begin, what happened then?

A. One person from each of the lines, at the word to stab from Oishi, stabbed the prisoners.

31. Q. How many men were in the lines of stabbers?

A. I do not know if all of the persons in the lines stabbed or not, but as I recall, there were fifteen to twenty persons in the lines.

32. Q. Can you tell us the names of the men who were in the lines of stabbers?

A. There were Warrant Officer Hosma, Chief Petty Officer Tanaka, Warrant Officer Watanabe, Chief Petty Officer Sawada, Warrant Officer Tanabe, Chief Petty Officer Kawashima, Chief Petty Officer Takahashi, Chief Petty Officer Tetsui, and Takarada.

33. Q. Is the Hosma whose name you have mentioned the Hosma who is in the court room today?

A. Yes.

34. Q. Is Tanaka the Tanaka that is here?

A. Yes.

35. Q. Is it the same Watanabe who is in the court room today?

A. Yes.

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James M. Lenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

36. Q. Sawada?

A. Yes.

37. Q. Tanabe?

A. Yes.

38. Q. Kawashima?

A. Yes.

39. Q. Takaishi?

A. Yes.

40. Q. Tsutsui?

A. Yes.

41. Q. After the stabbing was finished, what happened then?

A. After the stabbing, the heads of the prisoners were cut.

42. Q. Were cut with what?

A. With a sword.

43. Q. Who used swords on the prisoners?

A. Asamura and Yoshizawa.

44. Q. Is that the Asamura that you are talking about? *[Indicating the accused, Asamura, Shunpei.]*

A. As I recall, he is the same.

45. Q. Is that the Yoshizawa that you have just mentioned? *[Indicating the accused, Yoshizawa, Kensaburo.]*

A. He is the same.

46. Q. Describe what was done.

This question was objected to by the accused on the ground that it was leading.

The judge advocate replied.

The commission announced that the objection was not sustained.

A. Both of them cut.

47. Q. How many times did they use swords on the prisoners?

A. I do not know.

48. Q. Did they manage to get their heads off?

This question was objected to by the accused on the ground that it was leading.

The judge advocate made no reply.

The commission announced that the objection was not sustained.

A. No.

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*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

49. Q. After Yoshizawa and Asamura had finished cutting at the heads of these prisoners with swords, what happened then?  
A. After the prisoners were cut at the clearing up and the disposal of the bodies began.

50. Q. Who did that work?  
A. I do not know.

51. Q. Did you help?  
A. No.

52. Q. What was done with the bodies?  
A. I saw them being buried in an old anti-aircraft watch post which had already been dug.

53. Q. What became of the bones, if you know?  
A. I do not know.

54. Q. Of the names that you have mentioned, how many of these men did you actually see stab the prisoners?  
A. Honma, Tanaka, Watanabe, and Sawada. That is all.

55. Q. But you are sure that the other men that you have named were in the two lines of stabbers?  
A. Yes.

56. Q. Did you ever see anyone leave that line?  
A. No.

57. Q. When Kamikawa came up on that hill with Iwanami, did Kamikawa do anything?  
A. I saw the head of the hospital, Captain Iwanami, and Kamikawa and Oishi talking together before the incident, but I could not tell what they were talking about.

Cross-examined by the accused:

58. Q. You testified that you were on duty at Truk until you were taken into custody. Have you been in custody ever since that date?  
A. Yes.

59. Q. You testified that you saw two prisoners killed. How do you know that the persons killed were prisoners?  
A. As I stated before, as I heard that there were two American prisoners on the hill back of the hospital, I think they were prisoners.

60. Q. You also testified that you saw two persons killed. Have you ever seen persons killed before?  
A. Do you mean other prisoners?

61. Q. No, other persons.  
A. No.

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*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

62. Q. Were the prisoners that you saw on the hill killed after the first stabber stabbed them?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness.

The accused replied.

The commission announced that it would be guided by the answer as to whether or not it was opinion.

A. One of them, the one that Warrant Officer Homma stabbed, looked as if he were dead, but as I am not a doctor and I did not take his pulse, I cannot say. The other prisoners did not look as if he died on the first stab, but I do not know how many persons stabbed him before he died.

63. Q. Were you looking at the prisoners or at the stabbers as the prisoners were being stabbed?

A. I was watching the person who was stabbing.

64. Q. You testified you saw Homma stab. What did he stab with?

A. With a knife with a fixed bayonet.

65. Q. Who did you see stab after Homma stabbed?

A. I do not remember the order in which they stabbed.

66. Q. Who else do you remember that you saw stab?

A. Tanaka, Watanabe and Sawada.

67. Q. Were these three persons all lined up behind Homma?

A. I do not remember whether they were in the same line with Homma or whether they were in the other line.

68. Q. Do you remember what they stabbed with?

A. Tanaka was the same as Homma, with a bayonet.

69. Q. Watanabe?

A. I do not remember.

70. Q. Sawada?

A. I do not remember.

71. Q. What did Homma do after he finished stabbing the prisoner?

A. The person who followed Homma stabbed by the order of Oishi.

72. Q. Did he stab with the same bayonet that Homma did?

A. As Homma had his own bayonet, I think another one was used.

73. Q. Did Tanaka have his own bayonet?

A. As I recall, yes. That is how I recall it.

74. Q. Did Watanabe have his own bayonet?

A. I do not remember whether he had a bayonet or what he had.

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James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate, etc.



75. Q. Did Sawada have his own bayonet?

A. I do not remember whether he had a bayonet or anything in his hand.

76. Q. If you do not remember whether he had a bayonet or anything in his hand, what did he stab with?

A. They were stabbed with a bayonet or a spear, but it is just that I do not remember what they stabbed with, but I remember they stabbed the prisoners.

77. Q. How close were you standing?

A. Do you mean the distance between myself and the persons who stabbed?

78. Q. Yes.

A. I do not remember distinctly, but I was in a good position to see them stab.

79. Q. Was anyone standing next to you?

A. There were other spectators the same as myself.

80. Q. You testified that there were certain people in the line and you did not see them stab. How did these people get in the line?

A. I do not know anything about why they had to be in that column or about the orders that made them be in that column.

81. Q. Were there only carpentermen in that line of stabbers?

A. As I recall, I think there were some paymaster petty officers among them.

82. Q. What paymaster petty officers do you remember being among them?

A. Watanabe, Sawada, Takarada. That is all.

83. Q. How far from the prisoners were you standing?

A. I do not remember.

84. Q. What was the last man that you saw stab?

A. I do not remember.

85. Q. How soon after the stabbing did you see anyone cut with a sword?

A. I do not know the time that they cut, but I remember seeing Yoshizawa and Asamura cut.

86. Q. Did anyone order them to cut?

A. I do not know.

87. Q. Were the prisoners dead when they cut?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness.

The accused made no reply.

The commission announced that the objection was sustained.

88. Q. When you first saw the prisoners, was the head of the hospital there then?

A. No, I did not see him.

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*James T. Kenney*  
James T. Kenney,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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89. Q. How many men had already assembled there when you first arrived?  
A. Do you mean the spectators?

90. Q. Yes.  
A. I do not know the number, but, as I recall, it was the major part of the hospital.

91. Q. How many would that be?  
A. I do not know.

92. Q. Was Kamikawa there when you arrived?  
A. I did not see him.

93. Q. When did you first see him there?  
A. I saw him the first time when he came with the head of the hospital.

94. Q. Where were you standing at that time?  
A. From the beginning to the end, I was in about the same position, which was toward the rear of where the enlisted men were lined up. It was about the middle or rear of where the enlisted men lined up.

95. Q. How did you happen to notice when the head of the hospital arrived there?  
A. I noticed because he was the last one to arrive.

96. Q. You testified that Kamikawa came with him. Were they the last two to arrive, then?  
A. As I recall, the last ones to arrive were Kamikawa and Iwanami.

97. Q. Was Kamikawa wearing his sword when he arrived with the head of the hospital?  
A. I do not know.

The commission then, at 3:18 p. m., took a recess until 3:40 p. m., at which time it reconvened.

Present: All the members, the judge advocates, the reporter, the accused, their counsel, and the interpreters.

No witnesses not otherwise connected with the trial were present.

Kikuchi, Goro, the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

(Cross-examination continued.)

98. Q. When you saw Captain Iwanami and Kamikawa arrive, did anyone call out attention?  
A. I do not remember.

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*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate. 184

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99. Q. Did anyone nearby you also see Kamikawa and Iwanami arrive?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness.

The accused withdrew the question.

100. Q. Did anyone else standing near you see Kamikawa and Iwanami arrive?

This question was objected to by the commission on the ground that it was leading.

The accused withdrew the question.

101. Q. You testified that you saw Iwanami, Kamikawa and Oishi talking together. What did you hear them say?

A. I could not hear the contents of their conversation.

102. Q. Could you hear what they said?

A. I could not hear what they were saying.

103. Q. How then do you know that they were talking?

A. They were facing each other and they acted as if they were talking and being saluted and returning the salute, so I thought they were talking.

104. Q. You testified that Iwanami made a speech. Did he start to make the speech as soon as he arrived there?

A. He made the speech right after he arrived.

105. Q. Did you hear what he said?

A. I did.

106. Q. What did you hear him say?

A. The contents I do not remember exactly, but the meaning was as follows: "The naval hospital has been bombed and other damage done to it by these American prisoners which caused the death of patients, some by being struck by bullets; because of the bombing the sickness turned to the worse and some died. Stab spiritedly, and with all your might!" He also went on to say in English that these prisoners are not men but beasts. There was more to this speech, but it has been a long time, and I do not remember it exactly.

107. Q. Iwanami made this speech as soon as he arrived. Then, after his speech, is that when you saw him talking to Oishi and Kamikawa?

A. I do not remember whether it was before the speech or after the speech.

108. Q. When did the stabbing start?

A. It was after the speech was over.

109. Q. Did the stabbing start as soon as the speech was finished and Iwanami told them to stab?

A. I do not know if he said to stab, but the order to stab was given by Oishi.

110. Q. What did you hear Oishi say?

A. All I remember is the order to stab.

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*James T. Kenny*  
James T. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

111. Q. To whom did he give this order to stab?

A. This order was given to the persons who were lined up with spears and bayonets.

112. Q. Did he order Homma to stab?

A. I do not know if he gave the order personally to Homma only, but he gave the orders to the first person in each row.

113. Q. Who was the first person in each row?

A. The first person in one row was Homma, but the other, I do not know.

114. Q. You testified that the head of the hospital in his speech said that these Americans had bombed the hospital. Do you know if these Americans were given a trial for the bombing of the hospital?

A. I do not know.

115. Q. You testified that on the day of this incident you were on duty at the out-patients' examination room. At this time, who was in charge of this out-patients' examination room?

A. The person in charge of the examination of the patients was Lieutenant Commander Kanikawa. The person in charge of the room was Corpsman Warrant Officer Tanabe.

116. Q. Were there any other persons beside these?

A. Other to these, there was Leading Corpsman Yatsunami, Shigeru.

117. Q. Between what dates did you have duty at this out-patients' examination room?

A. From the middle of July, 1944, to around November of the same year.

118. Q. Wasn't it from August?

A. No, it was from July.

119. Q. You testified that you were on duty at the out-patients' examination room on this day. While you are on duty, can you leave this out-patients' examination room?

A. As I heard that it was a general assembly, and in a general assembly, everyone was to assemble, so according to this I left my duties for a moment and went to the hall.

120. Q. Then you, yourself, did not hear the order for general assembly?

A. No.

121. Q. Where is this out-patients' examination room located?

A. It is located a short distance from the administration building.

122. Q. You testified that when you arrived at the scene, there were some persons who were armed. Where was the position of these persons that were armed?

A. They were in about the middle of the officers who were spectators and the enlisted men I presumed to be spectators.

123. Q. Then, do you mean that they were forward of the enlisted men who were spectators? I do not understand when you say middle of the officers and enlisted men. Draw us a sketch of the scene.

A. I will.

The witness drew a diagram indicating the positions of the armed men, enlisted men, and officers.

This diagram was shown, by the accused, to the commission and to the

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Lieutenant, U. S. Navy,  
Judge Advocate.

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judge advocates for information.

124. Q. Then, according to your diagram, is it correct that there was no one who was armed other to these stabbers?

A. I did not see anyone else who was armed other to these stabbers.

125. Q. According to the diagram, was there no one in back of the stabbers?

A. I do not remember.

126. Q. Was it that the spectators and stabbers mixed and you could not distinguish between them?

A. A distinction could be made.

127. Q. How could this distinction be made?

A. Because the spectators and the stabbers were in positions as in the drawing so they could not be mixed up.

128. Q. Then you understand it that all the persons who were in the middle were stabbers. Is this correct?

A. The persons in the middle who were armed I thought to be stabbers.

129. Q. You testified that there were two lines, one line of bayonets and one line of spears. Which line had the bayonets and which line had the spears?

A. I have no recollection.

130. Q. How were the persons who were lined up in the middle dressed?

A. I remember they were wearing caps and they had on working uniforms. They had puttees on their legs, but I cannot say that they were all dressed like this.

131. Q. How were Homma, Tanaka, Watanabe, and Sawada, whom you said you saw stab, dressed?

A. According to my recollection, Homma was wearing a cap, working uniform, and puttees on his legs, and as I recall, Tanaka was dressed the same as Homma. I do not remember how Watanabe and Sawada were dressed.

132. Q. You have testified that you saw Watanabe and Sawada stab. How did you know them when you cannot remember how they were dressed. Was there any special reason to notice them?

A. Because I saw Watanabe and Sawada running toward the prisoners upon the orders from Oishi is why I can say this.

133. Q. How can you make a distinction between them and the others?

A. Whom do you mean by the others?

134. Q. Between the persons you say you do not remember if they stabbed or not?

A. Because I saw these four persons running toward the prisoners and stabbing, that is why I can say that they stabbed, but the other persons I have no recollection of them so that is why I cannot say.

135. Q. In what order did Homma stab?

A. As I stated before, he was the first one to stab.

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*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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136. Q. When did Tanaka stab?

A. I do not know.

137. Q. When did Watanabe stab?

This question was objected to by the judge advocate on the ground that it was repetitious.

The accused replied.

The commission announced that the objection was sustained.

138. Q. Is it not that you do not remember distinctly who stabbed?

A. I remember distinctly.

139. Q. I am asking why do you remember these persons. Many persons did the same actions, if you remember these persons so definitely for what reason do you remember them?

This question was objected to by the judge advocate on the ground that it was repetitious.

The accused replied.

The commission announced that the objection was not sustained.

A. The four I remember definitely because they ran toward the prisoners and stabbed by the orders of Oishi. The others I remember them being in the line, but I cannot say definitely that they stabbed, but I remember these four because they went forward at the order of Oishi.

The accused moved to strike out this answer on the ground that it was not responsive.

The commission announced that the motion to strike was denied.

140. Q. Are you sure that Takarada was in this group of stabbers?

A. According to my recollection, he definitely was.

141. Q. Have you heard that Takarada vomited later?

This question was objected to by the judge advocate on the ground that it was irrelevant.

The accused withdrew the question.

142. Q. You testified and gave the names of these persons being in the line of stabbers. How did they come to be in this line of stabbers? Were any instructions given that they line up in front of the prisoners?

A. I do not know.

The witness was duly warned.

The commission then, at 4:30 p. m., adjourned until 9 a. m., Saturday, July 5, 1947.

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*James P. Hendy*  
James P. Hendy,  
Lieutenant, U.S. Navy,  
Judge Advocate.

ELEVENTH DAY

United States Pacific Fleet,  
Commander Marianas,  
Guam, Marianas Islands.  
Saturday, July 5, 1947.

The commission met at 9 a. m.

Present:

Rear Admiral Arthur G. Robinson, U. S. Navy,  
Lieutenant Colonel Henry K. Roscoe, Coast Artillery Corps, United States  
Army,  
Lieutenant Colonel Victor J. Garbarino, Coast Artillery Corps, United  
States Army,  
Lieutenant Colonel William K. Lanman, junior, U. S. Marine Corps,  
Lieutenant Commander Bradner W. Lee, junior, U. S. Naval Reserve,  
members, and  
Lieutenant Commander Joseph A. Regan, U. S. Navy, and  
Lieutenant James P. Kenny, U. S. Navy, judge advocates.  
Joseph Kase, junior, yeoman second class, U. S. Navy, reporter.  
The accused, their counsel, and the interpreters.

The record of proceedings of the tenth day of the trial was read and  
approved.

No witnesses not otherwise connected with the trial were present.

Kikuchi, Goro, the witness under examination when the adjournment was  
taken, entered. He was warned that the oath previously taken was still  
binding, and continued his testimony.

(Cross-examination continued.)

143. Q. In answer to the question of the judge advocate on direct examina-  
tion, you testified that on the day of the incident you were on duty in  
the out-patient examination room and that the person on duty in the dental  
room next door came and told you that two prisoners had come to the hospi-  
tal and the persons on duty at the hospital had gone up the hill and that  
you stopped your work and you went up the hill. What duties did you have  
in this out-patient examination room on that day?

A. I was planning to start the treatment of patients for the afternoon,  
and I was about to go and look for some fuel to disinfect the instruments.

144. Q. Then, at this time did you have any out-patients?

A. The patients had not yet arrived.

145. Q. Do patients also come in the afternoon?

A. Patients did come once in a while.

146. Q. Is this person on duty in the out-patient examination room only  
one person, or are there others?

A. I do not know if it was one person who was supposed to be on duty  
or otherwise, but I was on duty there every day.

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*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

147. Q. When you left this out-patient examination room, was there anyone remaining behind in that room?

A. There was no one.

148. Q. At the hospital, do persons on duty frequently leave their stations?

A. Yes.

149. Q. When you left this room, how were you dressed?

This question was objected to by the judge advocate on the ground that it was irrelevant and immaterial.

The accused replied.

The commission announced that the objection was sustained.

150. Q. When you arrived, how many persons were assembled at the scene?

A. I thought almost all the persons who were working at the hospital at this time had assembled, but I cannot estimate as to the number.

151. Q. Were there persons arriving at the scene after you had arrived there?

A. I did not see persons come to the scene in great numbers.

152. Q. Then, were there one or two persons coming to the scene?

A. I do not know if one person or two persons later on kept arriving at the scene, but I remember the head of the hospital and Kamikawa arriving there.

153. Q. What was the distance from your position to the stabbers and from your position to the prisoners, roughly in meters?

A. I do not recall at all what the distance was in meters, but I recall that I was in a position to see the stabbers and the prisoners clearly.

The witness marked his approximate position on the diagram which he had drawn. The counsel for the accused showed this diagram to the commission and to the judge advocates.

154. Q. According to the position you drew on the diagram, would it mean that you were standing in the front line of the group?

A. As the group I was in was not formed, I cannot say exactly that I was in the front rank.

155. Q. Were there persons in front of you?

A. I do not remember.

156. Q. You testified frequently concerning persons presumed to be stabbers and persons presumed to be spectators. How do you make this distinction?

A. It is only what I presumed.

157. Q. How much time was there from the time you arrived and the head of the hospital arrived?

A. I do not remember.

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John P. Henry  
Judge Advocate  
Judge Advocate



158. Q. In your previous testimony, you testified that before the head of the hospital arrived, the persons whom you presumed to be stabbers were already lined up. Is this correct?

This question was objected to by the judge advocate on the ground that it was beyond the scope of the direct examination.

The accused withdrew the question.

159. Q. You testified to the meaning that there was a separate group of armed persons other to the group of enlisted men in this group. I would like to have the witness refresh his memory according to the diagram he drew yesterday. Was this formation already made up when you arrived on the scene as you have indicated in the diagram?

A. As I recall, they were generally grouped as it was shown in the diagram.

160. Q. According to the diagram, you stated that the group in the middle were armed. Is your memory correct on this?

A. This group which is shown in the diagram as stabbers, as I recall, had spears and bayonets.

161. Q. Wasn't this entire formation as shown on the diagram formed in order to listen to the speech of the head of the hospital?

A. Before the head of the hospital arrived, the spectators and the stabbers were grouped generally as in the diagram, but after the arrival of the head of the hospital, the groupings became more distinct.

162. Q. You testified that after the head of the hospital made a speech, he spoke to Oishi and then Oishi gave his order. Do you know what the head of the hospital said to Oishi?

A. As I did not hear, I do not know.

163. Q. Then, how do you know that the head of the hospital spoke to Oishi?

A. As I recall, his lips were moving and their attitudes were as if they were speaking, and they also exchanged salutes.

164. Q. Where was Oishi when he gave this order?

A. I do not remember exactly, but as I recall, he was standing in front of the stabbers, several steps to the left. I would like to withdraw that several steps to the left from my testimony. I do not remember exactly, but he was standing to the left in front of the stabbers.

165. Q. When you say left, to the left of what do you mean?

A. I would like to show on the diagram. Defense counsel handed the diagram to the witness. As shown on the diagram, I do not remember as shown on the diagram, if he was in front of the stabbers or if he was to the rear of the foremost person in the line of the stabbers.

The witness indicated on the diagram the position of Oishi to the left, facing the prisoners.

166. Q. Was Oishi in this position from the time you arrived at the scene?

A. I do not remember if he was in that position when I arrived at the scene.

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*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate

167. Q. After he gave the order to start, was he in this position until it was over?

A. After he gave the order to start, as I recall, he was in that position.

168. Q. You testified after the speech of the head of the hospital, he talked to Oishi and you saw his lips move and the attitude was that as if they were talking, and they also exchanged salutes. What kind of salute did they exchange?

A. As I do not recall it to be an unusual salute, I have no way of describing it.

169. Q. Then, according to the diagram that you drew from your position, there was a group of stabbers between you and Oishi. Is this correct?

A. Yes.

170. Q. According to this diagram, could you see the head of the hospital and Oishi together?

A. I saw them.

171. Q. Then, is this diagram incorrect?

A. In what position do you mean incorrect?

172. Q. From the angle in which you would look from where you were standing, there would be a large group of persons between yourself and Oishi.

A. There were.

173. Q. Could you see them even though there was a group of men between you? A. The stabbers were not all lined up close together. They were spaced, and through those spacings, I could see them talking, or they may have been talking to the front of where the stabbers were, but it is no mistake but that they were in a position in which I could see them.

174. Q. Then, do you mean that this group of stabbers was back further than is shown in the diagram?

A. I do not know if they were further back, but all I can recall is that they were roughly as shown in the diagram.

175. Q. Do you recall where Asamura was when Oishi gave this order?

A. I do not remember.

176. Q. Where was Yoshizawa?

A. I recall he was outside of the column of stabbers, but I do not recall exactly where his position was.

177. Q. You testified that you saw Yoshizawa cut with a sword. How was he dressed?

A. I do not remember.

178. Q. Then, do you remember his cutting with a sword?

A. I remember that he cut with a sword.

179. Q. Was he wearing a shirt?

A. I do not remember.

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*John P. Kenny*  
John P. Kenny,  
Lieutenant, U. S. Navy,  
San Francisco, California

180. Q. Referring you to the time that Iwanami and Kamikawa came to the scene, you testified that Iwanami and Kamikawa came to the scene together. Before they arrived, was there anyone who had the persons at the scene get into formation?

A. What kind of a formation do you mean?

181. Q. The question is: After you arrived there, was there anyone who had you form into lines or take up a formation?

A. I do not remember.

182. Q. You testified that you saw the prisoners cut with a sword. When you saw this, were you in your former position?

A. As I recall, my former position when I saw the prisoners being cut with a sword was different from my position when I saw them being stabbed.

183. Q. In what direction did you change your position?

A. As I recall, I moved my position closer to the prisoners.

184. Q. Then, could you leave your formation at will?

A. I do not remember of any direct instructions to keep the formation or to break the formation, but as I recall, when the prisoners were being cut with a sword, my position was closer to them.

185. Q. When Yoshizawa and Asamura cut with a sword, were there any persons between yourself and Yoshizawa and Asamura?

A. I do not remember if there were any persons there or not.

186. Q. Was the sword that Asamura used a long sword or a short sword?

A. It was a sword which we were accustomed to seeing in pictures, and shaped like a usual Japanese sword.

187. Q. Do you recall that it was a real Japanese sword?

A. I can say that it looked like a real Japanese sword, but I cannot say exactly as to the small details of that sword.

188. Q. From your position, could you see clearly whether Asamura or Yoshizawa had made any wounds with the sword when they struck?

A. I saw Asamura, I forget his rank at that time, wound when he struck.

189. Q. How did you see this?

A. I saw the wound.

190. Q. Are you sure that this was Asamura?

A. As I recall, yes.

191. Q. How was Asamura dressed.

A. I forget.

192. Q. Did Asamura cut from the right or the left?

A. I do not remember.

193. Q. Did the prisoners fall to the ground at this time?

A. Do you mean that he fell to the ground from the tree he was tied to?

COPIED TO BE A TRUE COPY:  
James P. Henry,  
Lieutenant, U.S. Navy,  
Judge Advocate.

194. Q. Yes.

A. He did not fall to the ground.

195. Q. Did you stab?

A. No.

196. Q. You testified that you were present in the brig at Truk. Is this correct?

A. This is correct.

197. Q. Do you remember how many persons were placed in the brig?

This question was objected to by the judge advocate on the ground that it was irrelevant and immaterial.

The accused replied.

The commission announced that the objection was sustained.

Reexamined by the judge advocate:

198. Q. You have testified that some of these men in the stabbing line were armed with bayonets and some were armed with spears. Describe the spears that they carried.

A. The length of the spear was about my height, or up to my shoulder. The witness stood up, indicating a height of about five feet, four inches. I do not recollect; the point was sharp and was made of iron of the diameter of about two centimeters.

199. Q. Did one whole column of stabbers carry spears?

A. As I recall, when I saw them, one column had spears and one column had bayonets. As I did not watch them to the very end, I cannot say for sure after the first part when I saw them.

200. Q. Now, you have testified that the men charged under Oishi's orders; that they charged two by two. How much time elapsed from the time the first two charged and the second two charged?

A. I do not know the time, but after the first one had stabbed and gotten out of the way, the next person stabbed. The time between the stabbers was very short.

201. Q. Now, you have testified that the stabbing started after the conversation between Captain Iwanami and Lieutenant Oishi. Did Lieutenant Oishi only give one order to begin or did he give many orders to each of the stabbers?

This question was objected to by the accused on the ground that it was leading.

The judge advocate made no reply.

The commission announced that the objection was sustained.

CERTIFIED TO BE A TRUE COPY:

*James P. Henry*  
James P. Henry, 3. Navy,  
Judge Advocate.

202. Q. After Captain Iwanami finished his speech, did he talk to anyone other than Lieutenant Oishi?

A. I have no recollection of the head of the hospital speaking to other officers, but I am not sure.

203. Q. Are any of those other officers here today?

A. The adjutant, Kamikawa, is here; Lieutenant Asamura is here. The others are not officers.

204. Q. Did you see Captain Iwanami talk to Lieutenant Asamura after he finished his speech?

A. I do not remember.

205. Q. Did you see Captain Iwanami talk to Lieutenant Commander Kamikawa after he finished his speech?

A. I have a recollection of seeing them.

206. Q. Was this after the speech?

This question was objected to by the accused on the ground that it was leading.

The judge advocate withdrew the question.

207. Q. Just when did you see Captain Iwanami and Lieutenant Commander Kamikawa talking?

A. I feel as if it was after the speech of the head of the hospital, but I cannot say for sure.

208. Q. Did Lieutenant Oishi say anything to the stabbers after he gave his first order to stab?

This question was objected to by the accused on the ground that it was leading.

The judge advocate replied.

The commission announced that the objection was not sustained.

A. I do not know whether it was instructions or what it was, but I remember Oishi talking to the stabbers.

209. Q. Now, you have testified that Lieutenant Asamura used a sword on the prisoners and caused a wound. When Yoshizawa used a sword on the prisoners, did he cause any wounds?

A. I do not remember exactly.

210. Q. How many times did Yoshizawa cut at these prisoners with his sword?

A. I do not remember if he only cut with the sword once or if he cut with the sword twice.

The commission then, at 10:20 a. m., took a recess until 10:40 a. m., at which time it reconvened.

CERTIFIED TO BE A TRUE COPY:

*John P. Kenny*  
Judge Advocate,  
Lieutenant, U. S. Navy,  
Judge Advocate.

**Presents:** All the members, the judge advocates, the reporter, the accused, their counsel, and the interpreters.

No witnesses not otherwise connected with the trial were present.

Hikuchi, Goro, the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

Recross-examined by the accused:

211. Q. What was done with the spears afterwards?  
A. I do not know.

212. Q. Did you ever handle any of these spears that day?  
A. Do you mean myself?

213. Q. Yes.  
A. I do not remember using them.

214. Q. How did you determine the length of the spear and also the diameter of it?  
A. Previously, I had seen some spears which were in front of the administration building at the hospital.

215. Q. Were these the same spears?  
A. They were the same kind.

216. Q. Now, these spears that you describe, aren't they altogether different from a rifle and a bayonet?  
A. Do you mean is a spear altogether different from a rifle?

217. Q. Yes.  
A. They are not of the same shape.

218. Q. Isn't the stabbing altogether different <sup>with</sup> with a spear than with a rifle and bayonet?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness.

The accused replied.

The commission announced that the objection was sustained.

219. Q. Do you know whether you stab differently with a spear than with a rifle and a bayonet?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness.

The accused withdrew the question.

220. Q. Did the men that stabbed with a spear stab differently than the men that stabbed with a rifle and bayonet that day?  
A. As I recall, the way they stabbed was the same.

DEEMED TO BE A TRUE COPY:

*James P. Henry*  
James P. Henry,  
Lieutenant, U. S. Navy,  
Algo Labatoe.

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221. Q. Did you have a rifle and a bayonet in your position that day at the field?

A. That day I did not have a spear or a rifle and bayonet.

222. Q. You said that the sword that Asamura had used was one that you had seen in pictures. Could this sword have been other than a real sword that they had used?

A. I cannot get the contents of the question when it is asked could this sword have been other than real.

223. Q. Could these swords have been wooden swords?

A. As I recall, they were not wooden swords.

224. Q. You testified that you are sure that Iwanami said something to Kamikawa, Asamura and Oishi. It is true then that Iwanami gave Kamikawa orders that day?

This question was objected to by the judge advocate on the ground that defense counsel was inadvertently misquoting the testimony of the witness.

The accused withdrew the question.

225. Q. When you testified that Iwanami talked to Kamikawa, did you mean that Iwanami gave Kamikawa orders that day?

A. I do not know anything at all about the contents.

226. Q. Did you hear Iwanami give Lieutenant Oishi orders that afternoon?

A. Do you mean after that afternoon?

227. Q. You testified that after his speech, you heard Iwanami and Oishi talk together, and you saw their lips move, and you saw Kamikawa salute. Now, did Captain Iwanami give Lieutenant Oishi any orders at that time?

This question was objected to by the judge advocate on the ground that it was repetitious.

The accused replied.

The commission announced that the objection was not sustained.

A. As I could not hear them, I do not know if it was orders or what they were.

228. Q. Did Lieutenant Oishi salute Captain Iwanami?

A. Yes.

229. Q. What then did Lieutenant Oishi do?

A. As I recall, he shortly thereafter began the stabbing; he went to give the order to stab.

230. Q. He went to give the order immediately after he saluted Iwanami. Is this correct?

A. I do not remember exactly.

CERTIFIED TO BE A TRUE COPY:  
*James P. Kenny*  
Judge Advocate,  
Lieutenant, U. S. Navy,  
Judge Advocate.

Neither the judge advocate nor the accused desired further to examine this witness.

The commission did not desire to examine this witness.

The witness made the following statements:

I remember seeing Yoshisawa kindly giving the prisoners drinks of water.

The witness was duly warned and withdrew.

A witness for the prosecution entered and was duly sworn.

Examined by the judge advocate:

1. Q. State your name and former rank.

A. Pharmacist Lieutenant, Imperial Japanese Navy, Hayakawa, Hiroyuki.

2. Q. If you recognize the accused, state their names and ranks.

The witness identified all the accused by name and rank with the exception of Asamura, whom he says he does not know by name, but whose face he does recognize.

3. Q. Did you ever serve at the Fourth Naval Hospital at Truk?

A. Yes.

4. Q. Between what dates did you serve at that hospital?

A. In April, 1944, I was dispatched from Rabaul to the Fourth Naval Hospital and in November of 1944, I was ordered as a member of the hospital and was at the hospital to the end of the war.

5. Q. Were you at the Fourth Naval Hospital from April, 1944, until the end of the war?

A. Yes.

6. Q. What duties did you have at the Fourth Naval Hospital in July of 1944?

A. My main duties were liaison work concerning the shipment of medical supplies to Rabaul, as the officer dispatched from Rabaul to take care of this.

7. Q. Did you ever see any prisoners at the Fourth Naval Hospital?

A. Yes.

8. Q. Do you remember the date on which you saw these prisoners?

A. I do not remember the date.

9. Q. Do you remember the month?

A. I do not remember the month. As I recall, it was three or four months after I had been dispatched from Rabaul.

DEEMED TO BE A TRUE COPY:

*James P. Henry*  
James P. Henry  
Lieutenant, U. S. Navy,  
Judge Advocate.



10. Q. Where did you see them?  
A. On the hill back of the officers' quarters at the hospital.
11. Q. How did you happen to go up that hill that day?  
A. As I was passing the bottom of the hill, I saw persons going up the hill, and wondering what it was, I also went up the hill.
12. Q. About how many persons did you see going up the hill?  
A. I do not remember by number.
13. Q. Were they marching up that hill in an orderly fashion?  
A. They were going separately in groups.
14. Q. When you went up on top of that hill, what did you see?  
A. I saw two white prisoners standing in the middle at the top of the hill. There were about thirty or forty persons gathered there and there were persons still coming up the hill.
15. Q. What did you do?  
A. I was watching the scene.
16. Q. Did you have anything with you?  
A. At this time, I had a camera.
17. Q. Did you take any pictures?  
A. I took one picture of the prisoners sitting on the ground.
18. Q. What became of the picture?  
A. I do not remember when it was, but I think it was at the time that the Philippines had fallen, that thinking that I would never be able to return to Japan I was going through my luggage, burning letters, and I remember burning pictures. I have no recollection of this one picture, but I think it was burned at that time.
19. Q. After you finished taking the picture, what did you see?  
A. I remember petty officers and seamen that Lieutenant Oishi was in charge of coming up the hill.
20. Q. Did these men that Lieutenant Oishi was in charge of have anything in their hands?  
A. I have no exact recollection.
21. Q. Were they carrying anything slung over their back?  
This question was objected to by the accused on the ground that it was leading.  
The judge <sup>+</sup>advocate made no reply.  
The commission announced that the objection was not sustained.  
A. I have no recollection.

STATEMENT TO BE A TRUE COPY:  
*James P. Henry*  
James P. Henry  
Lieutenant, U. S. Navy,  
Judge Advocate.

22. Q. Are any of the men that came up the hill with Oishi present in the court room here today?

A. I have no recollection of the petty officers and men whom Lieutenant Oishi was commanding at that time.

23. Q. How many men did he have with him?

A. I have no recollection as to the number of men, because alongside of the men whom Lieutenant Oishi was in charge of there were other persons coming up the hill together.

24. Q. Was Lieutenant Oishi wearing a sword?

This question was objected to by the accused on the ground that it was leading.

The judge advocate withdrew the question.

25. Q. Was Lieutenant Oishi wearing anything besides his clothing?

A. He had a sword at his side.

26. Q. What happened then?

A. The prisoners who were seated were tied to trees.

27. Q. Who tied the prisoners to the trees?

A. I do not remember.

28. Q. Was it done by an officer.

This question was objected to by the accused on the ground that it was leading.

The judge advocate requested that the commission declare this witness hostile, and allow the asking of leading questions.

The commission cautioned the witness that he was under oath and that he was to tell the truth as to what happened on the hill top that afternoon.

The judge advocate withdrew the question.

29. Q. After the men were tied up, what happened?

A. After they were tied up, I saw Y<sub>o</sub>shizawa going to the prisoner on the right facing them and slapping his cheek lightly.

30. Q. Go on.

A. As Yeshizawa was slapping this prisoner lightly on the cheek he slumped down and several seamen and petty officers went forward and held his legs up in the air and then lowered them, and the petty officers and seamen lined up in formation facing the prisoners. After this, two columns were formed vertically.

31. Q. Who did this?

A. I do not know who gave the order, but the person in charge was Lieutenant Oishi.

32. Q. Were these men armed?

A. Yes.

CERTIFIED TO BE A TRUE COPY:

*James P. Kennedy*  
James P. Kennedy,  
Lieutenant, U. S. Navy,  
Judge Advocate.

33. Q. What were they armed with?

A. They had rifles with fixed bayonets and steel spears.

34. Q. Are any of the men who were in that line, or those two lines, in court here this morning?

A. I remember Warrant Officer Homma. The rest, I have no distinct recollection.

35. Q. What happened after they were lined up?

A. Captain Iwanami made a speech.

36. Q. What did he say?

A. I do not remember his exact words, but it was the general meaning, he talked about the fall of Saipan, and that we were fighting against great odds, about the bombing of the hospital and also that recently the hospital had been bombed in broad daylight; and that some wounded had resulted from the bombings; also the recovery of the patients was impaired and in some cases, death resulted, and that this was an unlawful act; therefore, as a warning, these prisoners will be stabbed. He also stated that this is to test your spirit; therefore, stab spiritedly.

37. Q. What happened after you finished stabbing?

A. After the speech, Lieutenant Oishi gave the order.

38. Q. What happened then?

A. After this, the persons in the two rows stabbed in order.

39. Q. Who were the first two persons to stab?

A. Of the first two persons to stab, I remember Warrant Officer Homma, but of the others, I have no recollection.

40. Q. How many men in all stabbed?

A. I think it was a little more than ten.

41. Q. When you took that picture of the two prisoners, was there anyone else in that picture?

A. I remember Petty Officer Tanaka being in the picture.

42. Q. Did you also see Petty Officer Tanaka in the stabbers line?

This question was objected to by the accused on the ground that it was leading.

The judge advocate made no reply.

The commission announced that the objection was not sustained.

A. I have no distinct recollection.

43. Q. Other than Tanaka, of whom you have no distinct recollection, and Homma, whom you distinctly remember, is there anyone else in this room that you remember being in the stabbers line?

A. The rest of the persons, I do not have any distinct recollection, because it was shortly after I had arrived at the hospital. I was dispatched at the hospital, and I came in very little contact with the petty officers and men, and did not know their faces and ranks and names.

CERTIFIED TO BE A TRUE COPY:

*James P. Kenney*  
James P. Kenney,  
Lieutenant, U. S. Navy,  
Judge Advocate.

44. Q. Other than Honda and Tanaka and Iwanami, do you remember whether any of these others here now were on the hill that afternoon?

A. I faintly recall seeing Lieutenant Commander Kamikawa's face on the hill.

45. Q. How about the others?

A. I remember seeing Warrant Officer Yoshizawa.

46. Q. How about the name you can't remember, but the face you can?

This question was objected to by the accused on the ground that it was leading.

The judge advocate made no reply.

The commission announced that the objection was not sustained.

A. The persons whose name I do not remember, there is only one person there, and concerning this person, I do not remember distinctly.

The witness was duly warned.

The commission then, at 11:30 a. m., adjourned until 9 a. m., Monday, July 7, 1947.

CONFIRMED TO BE A TRUE COPY:

*James P. Ready*  
James P. Ready,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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**TELETYPE**

United States Pacific Fleet,  
Commander Marianas,  
Guam, Marianas Islands.  
Monday, July 7, 1947.

The commission met at 9 a.m.

**Present:**

Rear Admiral Arthur G. Robinson, U. S. Navy,  
Lieutenant Colonel Henry K. Roscoe, Coast Artillery Corps, United States  
Army,  
Lieutenant Colonel Victor J. Garbarino, Coast Artillery Corps, United  
States Army,  
Lieutenant Colonel William E. Lanman, junior, U. S. Marine Corps,  
Lieutenant Commander Bradner W. Lee, junior, U. S. Naval Reserve,  
members, and  
Lieutenant Commander Joseph A. Regan, U. S. Navy, and  
Lieutenant James P. Kenny, U. S. Navy, judge advocates,  
Robert R. Miller, yeoman first class, U. S. Navy, reporter.  
The accused, their counsel, and the interpreters.

The record of proceedings of the eleventh day of the trial was read and  
approved.

No witnesses not otherwise connected with the trial were present.

Hayakawa, Hiroyuki, the witness under examination when the adjournment  
was taken, entered. He was warned that the oath previously taken was still  
binding, and continued his testimony.

(Examination continued.)

47. Q. You have testified you saw a line of men, one by one, stab these  
prisoners. What did the men stab them with?  
A. Steel spears and rifles with fixed bayonets.

48. Q. Do you remember whether or not one row carried spears and the other  
row carried rifles and bayonets?

This question was objected to by the accused on the ground that it was  
leading.

The judge advocate made no reply.

The commission announced that the objection was not sustained.

A. I remember when they were first lined up one row had spears and one row  
had rifles and bayonets.

CERTIFIED TO BE A TRUE COPY:

*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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49. Q. Did they remain lined up in that fashion?

A. I do not remember distinctly but when they stabbed I have a faint recollection that the persons who had spears and bayonets were mixed in each row.

50. Q. Do you know whether anyone gave orders to alternate the spears and the bayonets?

A. This I do not remember distinctly.

51. Q. What do you remember about it at all then?

A. All I remember is that when they were first lined up they were in separate rows and when they stabbed they were mixed.

52. Q. After the stabbing had been completed what happened?

A. After the stabbing the persons who were watching and the persons who had finished stabbing dispersed and I saw Yoshinawa cut at the neck of the prisoner.

53. Q. What did he cut with?

A. With a sword.

54. Q. What kind of a sword?

A. As I was not close by I can not say exactly but I think it was a Japanese sword.

55. Q. Was it a steel sword?

This question was objected to by the accused on the ground that it was leading.

The judge advocate made no reply.

The commission announced that the objection was not sustained.

A. I am sure that it was a steel sword.

56. Q. Did you see anyone else cut at the heads of these prisoners with a sword?

A. I do not know because there were persons between myself when Yoshinawa was cutting at the prisoner and I just saw Yoshinawa through the crowd.

57. Q. How many times did Yoshinawa cut at the heads of these prisoners?

A. I do not know how many times he cut at the neck of the prisoners but I saw him swing his sword many times.

58. Q. Did the prisoner's head come off?

A. I could not see up to this point.

59. Q. What happened then?

A. After this I left.

60. Q. What became of the prisoners?

A. From what I heard from persons later it was said that they were buried in a hole at the scene.

The accused moved to strike this answer on the ground that it was hearsay.

At the request of the judge advocate the commission granted the judge advocate permission to enquire into the source of this evidence before ruling on the motion.

IDENTIFIED TO ME A TRUE COPY:  
by me, JAMES HENRY,  
Lieutenant, U. S. NAVY,  
Judge Advocate.

61. Q. Who told you that they had been buried on the hill. Was it any of these accused?

A. I have no recollection of having heard it from any of the defendants but I heard it as a rumor about this time.

The commission directed that the answer to question 60 be stricken.

62. Q. You have testified that when you went up on the hill you saw Yoshizawa striking the face of the prisoner and the prisoner jumped forward. How hard did Yoshizawa strike this prisoner?

A. It was very lightly, like a person who had a headache would strike his forehead.

63. Q. Did he use his hands or something else?

A. His hands.

Cross-examined by the accused:

64. Q. You testified that when you arrived at the scene there were thirty or forty persons assembled on the hill. Were these persons lined up?

A. As I recall they were not lined up.

65. Q. How did the persons, arriving after you did, arrive at the scene?

A. Most of the persons were not in formation but there was this one group as I stated before which came up in formation.

66. Q. Wasn't this group which came in formation arriving very late at the scene?

A. I have no distinct recollection as to when it was. But I think it was shortly after I arrived at the scene.

67. Q. Didn't the group which came in formation arrive after the two columns of stabbers had been formed?

A. According to my recollection I believe it was before they were formed.

68. Q. What kind of men were in this group which came up in formation?

A. What do you mean by kind of men?

69. Q. Whether it was paymaster or corporals.

A. At this time I did not know the faces of the men at the hospital and I do not know whether they were paymaster or corporals.

70. Q. Did you notice whether this group of persons had been training and came up just as they were?

A. I do not remember anything about this.

71. Q. Do you have any recollection what this group was lined up to the rear of where the persons were grouped in two rows horizontally?

A. I saw them coming up the hill and after they arrived I do not know whether they dispersed or whether they became attached to another group or whether they lined up.

CERTIFIED TO BE A TRUE COPY:  
*John P. Kenny*  
John P. Kenny  
Lieutenant, U. S. Navy,  
Jalisco, California.

72. Q. What were the positions of the petty officers and the enlisted men before the columns of stabbers were formed?

A. As I recall they were not particularly in any group.

73. Q. Have you any recollection that the persons there formed in a square with one side open facing the prisoners?

A. Do you mean before the line of stabbers were formed.

74. Q. Yes.

A. I have a recollection that they were sort of encircling the prisoners but I have no recollection of their being in formation.

75. Q. When the order to form the line of stabbers was given did the persons come from various points in this group which encircled the prisoners?

A. I recall this line being formed and being there, but I do not recall whether they came out separately or whether they came out in formation or how they came to be assembled there.

76. Q. By whose orders did the stabbers line up?

A. I have no recollection of whose orders it was.

77. Q. In your previous testimony to the question by the judge advocate, "Do you remember anyone else being there other to Hosma and Tanaka?"

You answered, "I remember fairly seeing Lieutenant Commander Kamikawa there." Will you tell us under what conditions you remember seeing Kamikawa?

A. My recollection that I saw Kamikawa was that I saw Kamikawa there during the whole proceedings but I do not know what time or exactly where it was, I just remember seeing him at the scene.

78. Q. Then is this recollection that you saw him also not definite?

A. As I stated before it just remains as a faint recollection but I am sure of my recollection that I saw Kamikawa there.

79. Q. You testified that after you took a picture on the hill you saw this group led by Lieutenant Oishi coming up the hill. How did you know that this group was being led by Lieutenant Oishi?

A. This recollection remains in my mind as a series of facts which I recall of the scene that day but which I can not visualize before my eyes at present.

80. Q. Were these men persons whom Oishi always commanded?

A. I do not know about this.

81. Q. When you were asked the number of this group which was led by Oishi in a question by the judge advocate you replied that you did not know the number, the reason for this being that there were persons coming up alongside of this group. Is this correct?

A. Yes.

82. Q. Then did these other persons also come together with this group in formation?

A. These persons coming up the hill I believe were spectators and they continued to come up the hill.

IDENTIFIED TO BE A TRUE COPY:

*Joseph H. Reany*  
Lieutenant, U. S. Navy,  
Judge Advocate.

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83. Q. Then do you think that the group that Oishi led was not spectators?  
A. This I do not know.

84. Q. Then what do you mean when you state that the persons coming up with this group were spectators?

A. I presumed these persons to be spectators but as for the persons who came up in formation I do not know and I can not judge whether they were spectators or not.

85. Q. Where were you when you saw this group coming up the hill?

A. In back of the officers' quarters there is a narrow trail leading up the hill winding through a garden and I was watching them just at the point we had finished climbing the hill.

86. Q. Where did you take this picture that you testified to?  
A. From this position.

87. Q. How many meters was the distance between yourself and the prisoners?  
A. Do you mean when I took the picture?

88. Q. Yes.

A. I am not sure but it was about fifteen to twenty meters.

89. Q. Was there anyone between yourself and the prisoners?  
A. When I took the picture it was open.

90. Q. You testified that Tanaka appeared in the picture. In what part of the picture did he appear?  
A. By the side of the prisoners.

91. Q. Were there many others who appeared in the picture?

A. As I recall there were several more persons who appeared in the picture but the names I do not recall.

92. Q. What was the difference in time between when you took the picture and when Oishi came up this hill?

A. I do not remember the time. I took the picture right after I arrived on the hill and I do not know when it was Oishi came up the hill.

93. Q. You testified on cross-examination in answer to Mr. Skimoto that you did not know what the formation did after it arrived on the hill. Is this correct?

A. As I testified before it is just a recollection in a series of recollections and I just remember that they came up this hill.

94. Q. Then did you presume that Oishi being near this group, he was in command of it?

A. According to what I recall I presumed that he was in charge of this group.

95. Q. Do you remember where Oishi took up his position after he arrived at the scene?

A. I have no recollection.

CERTIFIED TO BE A TRUE COPY:

*John P. Henry*  
Lieutenant, U. S. Navy,  
San Francisco.

96. Q. You testified that when Yoshisawa slapped the prisoner he slumped down. Did Yoshisawa slap the prisoner after he had slumped down or did the prisoner slump after Yoshisawa slapped him?

A. The prisoners slumped after Yoshisawa slapped him.

97. Q. Was the way the prisoner was slapped a way which would make the prisoner slump down?

A. The slapping was very light but I can not judge whether the prisoner slumped because he was slapped or otherwise.

98. Q. You testified that after the prisoner had slumped down his legs were held up in the air and lowered. What did you understand this to be?

A. I think it was because the prisoner fainted and they lifted up his feet to revive him.

99. Q. You testified to the meaning that after this two lines of petty officers were formed and then you testified that two horizontal rows were formed and after that two vertical lines were formed. Is this correct?

A. Yes, this is correct. In my recollection I remember a line horizontally being formed and one vertically being formed.

100. Q. At this time had the head of the hospital Iwanami already arrived?

A. I do not remember if the head of the hospital had already arrived at this time. I first noticed the head of the hospital when he was about to make his speech.

101. Q. What was the distance between yourself and Iwanami when the head of the hospital made this speech?

A. I have no distinct recollection but I believe there was about ten meters between us.

102. Q. Then you were in generally the same position from which you took your picture?

A. Yes, I was generally in that position.

103. Q. You testified in answer to the question, "Who ordered this line to form vertically?" that you did not remember who gave the order but that Oishi was in charge of this group. Is this correct?

A. Yes.

104. Q. Then how did you know that Oishi was in charge if he did not give any orders?

A. I am not saying that no orders were given, I am saying I do not remember any orders. Oishi had his sword by his side and he was in a position to take charge of these persons.

105. Q. What do you mean when you stated that he looked after various details?

A. He was in front of the group and he was in a position to take charge and he was giving various instructions to the men and I stated that he looked after the various details, this phrase may not have conveyed what I meant.

CERTIFIED TO BE A TRUE COPY:

*John A. Henry*  
John A. Henry  
Lieutenant, U. S. Navy,  
Jalisco, California.

106. Q. What was Oishi's position at this time?

A. In front of this group.

107. Q. Was he to the left or the right facing the prisoners?

A. As I recall, he was not in one place. The place where I recall him most is toward the right, but I remember him being toward the left.

108. Q. You testified that after the splash of the head of the hospital Oishi gave the order to stab. Do you remember where his position was when he gave this order to stab?

A. When he gave this order, I do not remember exactly, but I think it was to the left in front of this group.

109. Q. Did you see Oishi when he gave this order or did you just hear his order?

A. I think probably I saw Oishi and heard his order, but at present I cannot visualize him in my memory.

110. Q. How many times did Oishi give orders?

A. I do not remember.

111. Q. Is your recollection that he only gave orders once?

A. I remember his giving orders, but I have no definite recollection whether it was once or whether he gave them many times.

112. Q. Did each person stab according to the orders from Oishi to each person?

A. Do you mean did the stabbers stab each time by Oishi's orders?

113. Q. Yes.

A. I do not remember if Oishi only gave one order or if he gave it each time.

114. Q. Was this order a usual order that is used in the service?

A. I do not remember distinctly, but as I recall, it was not an unusual order.

115. Q. Then, when you say that it is not an unusual order, do you mean that it is an order which is generally used in the service?

A. Yes.

116. Q. Was there any meaning to stab in this order?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness.

The accused replied,

The commission announced that the objection was not sustained,

A. I do not remember what words were in that order.

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CERTIFIED TO BE A TRUE COPY:  
*James P. Keating*  
James P. Keating  
Lieutenant, U. S. Navy,  
Judge Advocate.

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117. Q. It seems that you remember about Yoshizawa. Do you remember how Yoshizawa was dressed?

A. I do not remember how Yoshizawa was dressed but I remember Yoshizawa having a towel wrapped around his head.

118. Q. Do you remember if there was anyone among the persons assembled who was not wearing a shirt?

A. I have no definite recollection.

119. Q. How were the persons assembled generally dressed?

This question was objected to by the judge advocate on the ground that it was irrelevant and immaterial.

The accused withdrew the question.

120. Q. Were the persons assembled there dressed formally?

This question was objected to by the judge advocate on the ground that it was irrelevant and immaterial.

The accused replied,

The commission announced that the objection was not sustained.

A. Everyone there was not dressed in the same way, they were dressed informally, some with summer uniforms, some with working uniforms and it varied.

121. Q. You testified that you saw Yoshizawa cut with a sword. Did you see the wound?

A. I have no recollection of having seen the wound.

122. Q. Were you in a position to see this wound if there was one?

A. If there was no one in front of me I think I would be able to see it plainly.

123. Q. How many meters distance was there?

A. I can not say exactly but I think it was about twenty meters.

124. Q. You testified that Yoshizawa swung a sword many times. Do you mean he cut several times?

A. I presumed that he cut several times.

125. Q. Are you sure of this?

A. Yes.

126. Q. Do you know that there is a custom that when using a sword that a sword would be swung many times before cutting?

A. Yes, I know of this custom.

IDENTIFIED TO BE A TRUE COPY:  
*James P. Henry*  
James P. Henry,  
Lieutenant, U. S. Navy,  
Judge Advocate. 210

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127. Q. Was Homma a warrant officer at that time?

A. He was a petty officer.

128. Q. Do you know who gave the stabbers the rifles with fixed bayonets?

A. I do not remember.

129. Q. Do you know how many persons stabbed the person whom Yoshizawa cut?

A. I have no definite recollection.

130. Q. When you saw Yoshizawa cut at the head of the prisoner, was the prisoner dead?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness.

The accused made no reply.

The commission announced that the objection was sustained.

131. Q. Did you see Iwanami when he came to the assembly?

A. As I stated before I did not see him when he arrived at the scene.

132. Q. You testified that you remember Homma among the persons who stabbed and you also testified that you had just been dispatched from Rabaul and you did not know the petty officers and seamen well. For what reason do you remember Homma?

A. I remember Homma because at that time he had a fine mustache, he was the first person in the line and also he was one of the senior petty officers and his everyday attitude was a very admirable one. That is why I remember him.

Neither the judge advocate nor the accused desired further to examine this witness.

The commission did not desire to examine this witness.

The witness said that he had nothing further to state.

The witness was duly warned and withdrew.

The commission then, at 10:23 a.m., took a recess until 10:40 a.m., at which time it reconvened.

Present: All the members, the judge advocates, the reporter, the accused, their counsel, and the interpreters.

No witnesses not otherwise connected with the trial were present.

Takahashi, Masayoshi, a witness for the prosecution, was recalled and warned that the oath previously taken was still binding.

CERTIFIED TO BE A TRUE COPY:

*James P. Reary*  
James P. Reary,  
Lieutenant, U. S. Navy,  
Judge Advocate,  
U. S. Navy,

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Examined by the judge advocate:

1. Q. In July 1944 did you see any prisoners of war on Truk?  
A. I saw persons whom I presumed to be American prisoners of war.
2. Q. Where did you see them?  
A. I saw them on the hill at the hospital.
3. Q. How did you happen to be on that hill?  
A. I was together with the spectators.
4. Q. Why did you go up that hill?  
A. As I recall that day a general assembly was called and I assembled in front of the administration building and with the senior petty officer Yoshizawa in charge we went up the hill.
5. Q. Did you march up the hill?  
A. It was not in a regular formation but we were lined up when we went up the hill.
6. Q. About how many men attended that general assembly in front of the administration building?  
A. I think it was about fifteen or sixteen persons.
7. Q. When you got up on top of the hill what did you see?  
A. When I arrived at the scene there were two prisoners there.
8. Q. Was there anyone else there?  
A. As I recall Oishi and Kamikawa were already there.
9. Q. What happened then?  
A. As I recall Kamikawa ordered the prisoners tied to the trees and ordered the lining up of the persons who were armed.
10. Q. When you saw Kamikawa are you speaking of this man?  
(Judge advocate indicated the accused Kamikawa, Hidehiro.)  
A. Yes.
11. Q. What happened then?  
A. As I recall the head of the hospital came out in front of the people assembled and gave a speech.
12. Q. About how much time intervened between the tying up of the prisoners by Kamikawa and the speech of Iwanami?  
This question was objected to by the accused on the ground that it was leading.  
The judge advocate replied:  
The commission announced that the objection was not sustained.  
A. I do not remember the time.

CERTIFIED TO BE A TRUE COPY:  
*John P. Henry*  
Lieutenant, U. S. Navy,  
Judge Advocate.

13. Q. Can you approximate it?

A. I think approximately about five minutes.

14. Q. How many men were armed on that hill that day?

This question was objected to by the accused on the ground that it was leading.

The judge advocate withdrew the question.

15. Q. Were there any men on that hill armed that day?

This question was objected to by the accused on the ground that it was leading.

The judge advocate withdrew the question.

16. Q. Were any of the men on that hill carrying anything that day?

A. The persons who had anything that day were persons who were armed. They had bayonets and spears.

17. Q. How many men were armed on that hill that afternoon?

A. As I recall about fourteen or fifteen men.

18. Q. Do you recall what Captain Iwanami said in his speech?

A. I do not remember distinctly.

19. Q. Tell us in detail what happened after Iwanami finished his speech.

A. As I recall after the speech the head of the hospital ordered the adjutant and the adjutant ordered Oishi and Oishi ordered the senior petty officer Yoshizawa.

20. Q. Ordered them to do what?

A. As I recall he ordered the stabbing of the prisoners.

21. Q. At the time these orders were given where were the armed men standing in relation to the two prisoners?

A. In relation to the prisoners as I recall the persons who were armed were lined vertically.

22. Q. Can you tell us the names of the men who were standing vertically to the prisoners?

A. Warrant Officer Hosma, Warrant Officer Tanabe, Warrant Officer Mukai, Warrant Officer Tanaka, Petty Officer Takaishi, Petty Officer Samada, Warrant Officer Watanabe, Akabori, Hamatani and Mitsuhashi, the others I do not recall.

23. Q. After these men were standing in the line of stabbers did any of them leave those lines?

This question was objected to by the accused on the ground that it was leading.

The judge advocate withdrew the question.

CERTIFIED TO BE A TRUE COPY:

*James T. Kenny*  
James T. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate

24. Q. These men that you have just identified, where were they standing in relation to the prisoners?

A. In front of the prisoners about twenty meters away.

25. Q. How were they standing in relation to one another?

A. Do you mean in relation to the spectators?

26. Q. How were these ten men standing in relation to each other?

A. They were in the center of the spectators.

27. Q. When you say they were in the center of the spectators just what do you mean?

A. They were in the middle of the officers, petty officers and enlisted men who were shaped in the form of a U.

28. Q. Were they ordered to take a different position?

This question was objected to by the accused on the ground that it was leading.

The judge advocate withdrew the question.

29. Q. Did they ever take a different position?

A. If you can not understand what I mean by the position in the middle I will draw you a diagram.

30. Q. Very well, please do so.

The witness drew a diagram which showed the position of the two prisoners and two rows of armed men standing facing the prisoners in a line, one behind the other. These two rows of armed men facing the prisoners were standing almost equal distance between two curved lines of spectators.

31. Q. About how many armed men were standing in these two lines?

A. As I recall about fourteen to fifteen persons.

32. Q. And after they were given orders to stab what happened?

A. As I recall after the order was given, the stabbing of the prisoners began.

33. Q. How many of these men did you actually see stab?

A. As I recall I think it was about ten persons who I saw actually stab.

34. Q. Can you give us the names of these ten persons?

A. It is the same as the names I gave previously.

35. Q. After the stabbing had been completed what happened then?

A. As I recall the heads of the prisoners were cut with a sword.

36. Q. Who cut the heads of the prisoners with a sword?

A. Then senior petty officer, Yoshimasa, Lieutenant Oishi and as I recall an officer from the Forty-first Naval Guard Unit, cut.

IDENTIFIED TO BE A TRUE COPY:

*James P. Henry*  
James P. Henry,  
Lieutenant, U.S. Navy,  
San Francisco, California.

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37. Q. Is that officer from the Forty-first Naval Guard Unit here today?  
A. I forget his face.

38. Q. Do you remember his name?  
A. I do not remember his name.

39. Q. What happened then?  
A. After this I recall their clothes were burned.

40. Q. You mean the clothing of the two prisoners?  
A. Yes.

41. Q. What became of their bodies?  
A. As I recall they were buried in a hole.

42. Q. After this incident had been completed did you ever have a conversation with any of the accused concerning it?

This question was objected to by the accused on the ground that it was irrelevant and immaterial.

The judge advocate replied.

The commission announced that the objection was not sustained.

A. Concerning this incident I had a conversation with the head of the hospital when he said to say nothing about this incident. I did not have any conversation with any of the other defendants.

Cross-examined by the accused:

43. Q. Were the first persons to arrive the group of petty officers that had assembled in front of the hospital and from there had gone to the hill?  
A. As I recall when we arrived at the top of the hill many persons were already assembled.

44. Q. You stated that as you recall there was a general assembly. How did you get the word for this general assembly?  
A. When I was in the dental room I heard an oral order for a general assembly.

45. Q. Where were you ordered to assemble?  
A. As I recall no place of assembly was given.

46. Q. How did you know where to assemble then?  
A. When this order was given and I stepped out of the dental room, there were some people gathering in front of the administration building so I assembled there.

47. Q. By general assembly do you mean that all persons of the hospital were ordered to assemble there?  
A. When a general assembly is called at the hospital all persons but the ones on duty in the hospital wards were to assemble.

CERTIFIED TO BE A TRUE COPY:

*James H. Keany*  
Judge Advocate  
Navy

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48. Q. Did all persons but the ones on duty assemble at the same place you assembled?

A. When I arrived there as I recall all of them were not assembled.

49. Q. Was Yoshizawa dressed in the uniform of the day when he mustered you in the group in front of the hospital?

A. I do not remember how he was dressed.

50. Q. Did he have a rifle and a bayonet?

A. As I recall he did not have a rifle and bayonet.

51. Q. Did he have a sword?

A. When we assembled in front of the administration building as I recall he did not have a sword.

52. Q. You stated that fifteen or sixteen men were mustered by Yoshizawa. Is that all of the men that assembled in front of the hospital that day?

A. As I recall I think some armed persons assembled and left.

53. Q. The armed persons that assembled and left were in addition to the fourteen or fifteen persons that Yoshizawa mustered?

A. They were separate from the persons who were armed.

54. Q. Were you armed with a rifle and bayonet when you mustered in front of the hospital with Yoshizawa?

A. I did not take anything.

55. Q. How many men in this group that mustered with you were armed?

A. As I recall there was no one who was armed who assembled with myself.

56. Q. Was Homma in this group that assembled with you?

A. As I recall Warrant Officer Homma was not present.

57. Q. Was Watanabe in this group that assembled with you?

A. I do not remember.

58. Q. Was Tanabe in this group that assembled with you?

A. As I recall he was not there.

59. Q. Was Nakai there?

A. Not as I recall.

60. Q. Was Suzuki in the group?

A. As I recall he was not in it.

61. Q. Tanaka?

A. I do not remember.

62. Q. Akabari?

A. As I recall he was not there.

63. Q. Hamatani?

A. As I recall he was not there.

IDENTIFIED TO BE A TRUE COPY:

*James P. Kelly*  
James P. Kelly, Jr., Navy,  
Lieutenant, U.S. Navy,  
Judge Advocate.

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64. Q. Takaishi?

A. According to my recollection I do not know.

65. Q. Mitsuhashi?

A. No.

66. Q. Do you recall any of the men that assembled with you that day?

A. Persons who assembled according to my recollection I do not know.

67. Q. You can not remember a single man who assembled with you that day?

A. According to my recollection I do not know.

68. Q. Have you always remembered the ten men that you named as being in the line in front of the prisoners?

This question was objected to by the judge advocate on the ground that it was irrelevant and immaterial.

The accused made no reply.

The commissioner announced that the objection was not sustained.

A. What do you mean when you say "always"?

69. Q. Have you always had a recollection that these ten men were in the line?

A. From the time they stabbed up to now, as I recall, according to my memory they stabbed.

70. Q. These ten men, were they already on the hill when you arrived?

A. As I recall the persons who were armed were already on the hill.

71. Q. The persons that were armed and that were already on the hill, what were they armed with?

A. The persons who were armed as I recall were armed with bayonets and spears.

72. Q. Did all the persons that were armed with bayonets and spears stab that day?

A. I do not know exactly if all the persons who were armed stabbed or not.

73. Q. How close were you standing to the people who stabbed?

A. As I recall I was about twenty meters away from the stabbers.

74. Q. Were you facing the prisoners?

A. I was looking toward the prisoners or the stabbers.

75. Q. What do you mean by you were looking toward the prisoners or the stabbers?

A. There were times when I looked toward the prisoners and toward the stabbers.

*James P. Kelly*  
James P. Kelly  
Lieutenant, U.S. Army

76. Q. From where you were standing could you see the faces of the prisoners?

A. I could not see this distinctly but I could see the faces.

77. Q. Were the prisoners blindfolded?

A. As I recall at first they were blindfolded.

78. Q. When were the blindfolds removed?

A. As I recall the blindfolds were taken away after the speech of the head of the hospital.

79. Q. Who took the blindfolds away?

A. I do not know who removed the blindfolds.

80. Q. Do you know who ordered the blindfolds removed?

A. As I recall the head of the hospital ordered the blindfolds taken away.

81. Q. Were you standing behind the line of stabbers?

A. As I recall I was among the spectators to the right of the prisoners.

82. Q. From where you were standing could you see the faces of the stabbers as they stabbed?

A. I could not see the faces of the stabbers.

83. Q. You could only see the backs of the stabbers then?

A. Yes.

84. Q. Yet you recognized ten stabbers from looking at their backs only. Is that correct?

A. When they started to stab they were right directly in front of me so I knew them.

The witness was duly warned.

The commission then, at 11:30 a.m., took a recess until 2 p.m., at which time it reconvened.

Present: All the members, the judge advocates, the accused, their counsel, and the interpreters.

Joseph Kase, junior, yeoman second class, U. S. Navy, reporter.

No witnesses not otherwise connected with the trial were present.

Takahashi, Masayoshi, the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

(Cross-examination continued.)

The previous questioned answer of this witness were read.

CERTIFIED TO BE A TRUE COPY:  
*James A. Henry*

James A. Henry,  
Lieutenant, U. S. Navy,  
Judge Advocate.

85. Q. Then you moved your position in order to get a better look at the stabbers, did you?

A. I did not change my position.

86. Q. Did you look at the prisoner when he was being stabbed?

A. Yes.

87. Q. Were both prisoners being stabbed at the same time by two different men?

A. As I recall, they were stabbed at the same time.

88. Q. Will you show on this sketch which you made this morning just where you were standing when the prisoners were stabbed? The sketch was shown to the judge advocate and to the commission and handed to the witness.

The witness indicated his position on the sketch as being in the right semi-circle opposite the leading file of the stabbers rank.

89. Q. How far were you from the closest line of stabbers?

A. As I recall, about twenty meters.

90. Q. And how far were the two columns of stabbers apart?

A. The distance between the two columns, I cannot say exactly, but I think it was about one meter.

91. Q. How far apart were the men in each column?

A. The distance between each person in the column was about a half meter.

92. Q. What happened after each man finished stabbing? What did each man do after he finished stabbing?

A. As I recall, after he finished stabbing, he went to the rear of the column and lined up again.

93. Q. Then he stabbed the second time, did he?

A. No. As I recall, after he finished stabbing he went around to the rear of the column and stayed there.

94. Q. Who was the first man that stabbed in the column closest to you?

A. The column closest to myself I do not remember distinctly.

95. Q. How many men were there in that column that was closest to you?

A. As I recall, about seven to eight.

96. Q. Who was the second man in the column closest to you?

A. I do not remember the order that they were in the line.

97. Q. Do you remember anybody that was in that column that was closest to you?

A. I have no recollection of the column closest to myself.

98. Q. Do you have any recollection who was in the column that was furthest from you?

A. In the column that was furthest from myself, I recollect Hanna being there.

CERTIFIED TO BE A TRUE COPY:

*James P. Keating*  
James P. Keating,  
Lieutenant, U. S. Navy,  
Judge Advocate

99. Q. Where was he in the column that was furthest away from you?  
A. I have a recollection of his being at the head of the line.

100. Q. Who was behind Homma?  
A. I do not remember in which column the rest were.

101. Q. Will you repeat the names of the men that you know stabbed that day?  
A. Warrant Officer Homma, Warrant Officer Tanabe, Warrant Officer Mukai, Petty Officer Tanaka, Petty Officer Takashi, Petty Officer Akabori, Petty Officer Hamatani, Petty Officer Mitsuhashi, Petty Officer Sawada, Warrant Officer Watanabe.

102. Q. You remember what Homma stabbed with that day?  
A. As I recall, Warrant Officer Homma stabbed with a bayonet.

103. Q. Do you recall what Watanabe stabbed with?  
A. I forget with what he stabbed.

104. Q. You know what Tanabe stabbed with that day?  
A. I do not remember what the rest of the persons stabbed with that day.

105. Q. These men that mustered with you down in front of the hospital, what did you do when they arrived at the hill where these prisoners were?  
A. After we arrived on the hill, we took our positions as spectators.

106. Q. Who ordered you to do this?  
A. I do not know who told us this.

107. Q. You testified that you heard about the general assembly order and that you assembled in front of the administration building. What time was this?  
A. I do not know definitely, but I think it was about two-thirty in the afternoon.

108. Q. You testified that when you heard this general assembly order you were in the dental room. Was there anyone with you?  
A. At the dental room there was no one other to myself.

109. Q. Weren't you on duty that day?  
A. There was no specially designated duty man for the dental room.

110. Q. How was this general assembly order relayed to you?  
A. I heard this order being called out by the person on duty at the hospital.

111. Q. By what method was this order relayed?  
A. After this order was called out, I dressed and assembled in front of the administration building.

112. Q. The witness is not answering my question. I am asking by what method was this order relayed?  
A. The order was shouted out by the person on duty at the hospital.

CERTIFIED TO BE A TRUE COPY:

*James P. Keung*  
James P. Keung,  
Lieutenant, U. S. Navy,  
Judge Advocate

113. Q. Was this order shouted to persons individually or was it just called out?

A. Usually it is not relayed to each person individually, but shouted out so that the persons in the hospital can hear.

114. Q. Then, was this order called out under circumstances which everyone could hear?

A. As I recall, the order was called so that everyone could hear.

115. Q. What was called out?

A. I do not remember exactly, but I think just the phrase "general assembly" was called out.

116. Q. When general assembly is called, is this the way it is always relayed?

A. Usually the place of assembly would be designated and at times only the phrase "general assembly" would be used.

117. Q. Then, is it correct that in this case the place of assembly was not designated?

A. From what I recollect, the place of assembly was not designated.

118. Q. Then, after hearing this order, did you immediately go to the front of the administration building?

A. I went to the front of the administration building about five minutes after this order had been called out.

119. Q. You testified that the persons who assembled there were only about fourteen or fifteen persons. Is that correct?

A. When I arrived there, there were only fourteen or fifteen persons.

120. Q. Usually when general assembly is called, how many persons should assemble?

A. From what I recollect, in case general assembly was called out, usually fifty or sixty persons should assemble.

121. Q. In this case when only fourteen or fifteen persons assembled, didn't they wait for the rest of the persons to assemble?

A. We did not wait for the rest of the persons. After fourteen or fifteen persons had assembled, we were led up the hill.

122. Q. Was this usual when general assembly was called?

A. The very few cases in which we were led from a place after general assembly was called were unusual.

123. Q. Didn't the fourteen or fifteen persons have a special assignment this day?

A. There was no special assignment. After we arrived on the hill, all we did was enter the ranks of spectators.

124. Q. When you assembled there, was the person in charge already there?

A. From what I remember, when I arrived there, the person in charge was already there.

CERTIFIED TO BE A TRUE COPY:

*James P. Henry*  
James P. Henry,  
Lieutenant, U. S. Navy,  
Judge Advocate.

125. Q. Did the person in charge say anything about the reason for this assembly?

A. He did not say anything about the reason for the assembly.

126. Q. What did he say?

A. From what I recall, the person in charge did not say anything, but after we assembled, he took charge of us and led us up the hill.

127. Q. In cross-examination you testified that as soon as you arrived at the top of the hill you entered the ranks of spectators and you also testified that you did not know who ordered you to do this. Is this correct?

A. As I recall, after we arrived on the hill we received no instructions from anyone in particular.

128. Q. Then, did you enter the ranks of the spectators freely, or were you ordered?

A. There were some spectators already assembled and, as I recall, we went and lined up in back of them.

129. Q. Then, did you do this, did you line up there on your own?

A. It was not that they were lined up. They just grouped there, and we just went there and joined this group.

130. Q. Then, do you mean that without receiving instructions from anyone you went there by yourself on your own?

A. As I recall, no one gave any orders.

131. Q. You testified that there were some spectators already assembled. How many were assembled?

A. From what I recollect, I think there was about twenty.

132. Q. Then, isn't it that these twenty persons went there without knowing about the general assembly?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness; and the line of questioning was objected to on the ground that it was irrelevant.

The accused replied,

The commission announced that the objections were sustained.

133. Q. You testified that when you went up on the hill there were already about twenty spectators, and do you remember anyone who was among those assembled spectators?

A. I do not distinctly remember anyone who was there.

134. Q. Can't you remember even one person?

A. From what I recollect, I do not remember who was there.

135. Q. Do you remember if anyone of the defendants was in that group?

A. I can not recall.

CERTIFIED TO BE A TRUE COPY:

*James P. Henry*  
James P. Henry,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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136. Q. You testified that you could not remember anyone in this group of fourteen of fifteen persons with whom you went up to the hill; you also testified that you could not remember anyone of the group of twenty who were already assembled on the hill when you arrived. The events occurred some time past, and I believe your recollection may be faint; but in direct examination, you testified clearly as to certain persons. Did you have any special reason to remember them?

A. The names of the persons who stabbed were the persons lined up separately there; and as the stabbers stabbed the prisoners, I remember them.

137. Q. Then, can you say that you are sure of your memory in this case?

A. I cannot say absolutely that these persons stabbed.

138. Q. Then, do you mean that you presumed Tanaka stabbed?

A. I stated this according to my recollection in reply to questions.

139. Q. In cross-examination by defense counsel, Commander Carlson, you stated that you did not remember anyone in the column nearest you and the column furthest from you, except in the case of Honma. Is this correct?

A. I do not remember exactly in which line they were.

140. Q. You stated that you could not state absolutely that these ten persons stabbed, but you testified that you gave the names of the persons and you stated that you saw them stab. Can you state without your conscience bothering you?

This question was objected to by the judge advocate on the ground that it was repetitious and argumentative.

The accused replied.

The commission announced that the objection was sustained.

141. Q. Are all the ten persons that you named senior petty officers?

A. Most of them were chief petty officers and two or three among them were first class petty officers.

142. Q. Have you ever been told by any witness or by anyone else that the senior petty officers should take the responsibility regardless of the facts?

A. I have never heard of this.

143. Q. You testified that you saw the prisoners being tied. Tell us the names of the persons who were close by at this time.

A. I do not remember the names of the persons who actually tied the prisoners, but Commander Kamikawa was close by giving instructions in tying the prisoners.

144. Q. You testified that you saw Kamikawa giving instructions. Did you hear the instructions he gave?

A. I could not hear him.

CERTIFIED COPY  
*James P. Reany*  
James P. Reany  
Lieutenant, U.S. Navy

145. Q. Then, how do you know that Kamikawa gave instructions to have them tied?

A. I was looking on from a distance, and Kamikawa looked as if he was talking and two or three persons tied the prisoners.

146. Q. Then, is it correct that this is what you presumed?

A. I think Kamikawa said to tie them and two or three persons tied the prisoners.

147. Q. Who else was there?

A. Other to this I do not know the names.

148. Q. How many persons were there?

A. As I recall, about two or three.

149. Q. Were there any officers?

A. From what I recall, no officers were there.

150. Q. Then, do you remember anyone who was there?

A. I do not recall their names.

151. Q. Have you ever heard from anyone that warrant officers and above and the adjutant should take the responsibility?

A. No.

152. Q. You testified that in July of 1944, you saw prisoners in the hospital. Was this the first time you had seen prisoners?

A. This is the second time. In January 1944, I saw the dead bodies of prisoners being dissected.

153. Q. In direct examination by the judge advocate you testified that you saw two persons whom you presumed to be American prisoners. How did you know they were American prisoners?

A. The first thing I remember is that the color of their hair was different.

154. Q. What was the color of the hair?

A. From what I recall, it was brown.

155. Q. Were both of them brown?

A. Yes.

156. Q. I do not think all persons with brown hair are Americans.

This statement was objected to by the judge advocate on the ground that it was improper in form and argumentative.

The accused withdrew the question.

157. Q. Was there any other thing you especially noted?

A. From what I recollect, his skin was lighter than usual.

158. Q. Other to this?

A. As I recall, there is nothing else special which I noticed.

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*James P. Kelly*  
James P. Kelly  
Lieutenant, U. S. Navy,  
Judge Advocate.

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159. Q. What about his eyes and nose?

A. As I was at a distance of about twenty meters away, I did not notice about his eyes or his nose.

160. Q. I can understand through your testimony that they were white persons, but I cannot understand how you presumed they were Americans. Is there any other means which you could clarify this?

A. Their height was a little greater; and I presumed that they were American prisoners, due to their height, the color of their skin, and the color of their hair.

161. Q. You testified that you heard the seaman from the hospital call out an oral order for general assembly. Did you see the person who was calling out this order?

A. I did not see who called out this order.

162. Q. Then, how can you say that it was a seaman on duty at the hospital who called out this order?

A. Because, usually the seaman on duty at the hospital would call out the orders for general assembly.

163. Q. Then you presumed that this order was called out by the seaman on duty at the hospital because that is what was usually done. Is this correct?

A. As the seaman on duty at the hospital would usually call out the order, I presumed he was the one who called out this order.

This line of questioning was objected to by the judge advocate on the ground that it was irrelevant and immaterial.

The accused made no reply.

The commission announced that the objection was sustained.

164. Q. Then, were you familiar with the voice of the person on duty?

The commission informed the counsel that this line of questioning had been objected to and sustained by the commission.

The accused withdrew the question.

165. Q. What was your impression when you arrived at the scene and saw the prisoners?

A. As I had never seen live Americans before, I was curious about this and no doubts occurred to me as to what was to occur.

166. Q. What was this thing that was to have occurred?

A. I found out later when the armed persons lined up and the stabbing began that it was to execute the prisoners.

167. Q. When was this?

A. Do you mean the time?

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*James M. Fenny*  
James M. Fenny,  
Lieutenant, U.S. Navy,  
Judge Advocate.

168. Q. Yes.

A. I first learned this just before three o'clock in the afternoon.

169. Q. How long after you had arrived at the scene?

A. From what I recollect it was about twenty to twenty-five minutes after I had arrived on the hill.

170. Q. Is there anything that you noticed especially during the time you were on the hill?

A. There is nothing of which I took notice specially.

171. Q. Was there anything which you especially noticed among the things that you took notice of while you were on the hill?

This question was objected to by the judge advocate on the ground that it was vague.

The accused withdrew the question.

172. Q. At the time of this incident, did you think that you would be investigated?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness.

The accused replied.

The commission announced that the objection was sustained.

173. Q. What was the distance from the out-patient examination room to the dental room?

A. There is hardly no distance at all.

174. Q. If the assembly order can be heard in the dental room, could it also be heard in the out-patient examination room?

A. What could be heard in the dental room could be heard in the out-patient examination room.

175. Q. Do you remember how many petty officers there were at the hospital at this time?

A. I do not know exactly how many there were.

176. Q. Approximately how many petty officers were there?

A. I think about twenty-two or twenty-three.

177. Q. Is this including both the corporals and the paymasters?

A. Yes.

178. Q. How many seamen were there?

A. I do not know definitely, but about seventy to eighty seamen.

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*James M. Kerner*  
James M. Kerner,  
Lieutenant, U.S. Navy,  
Judge Advocate

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179. Q. You testified that after you arrived on the hill you entered the ranks of spectators. Were you there from the beginning to the end?  
A. I was there until the bodies were buried.

180. Q. Were there any petty officers among the spectators with whom you were?  
A. I do not remember if there was any petty officers or not.

181. Q. Then, do you have any recollection that the persons around you were seamen?  
A. From what I recall, most of them were seamen.

182. Q. Did Yoshizawa give the order to stab?  
A. According to my recollection the senior petty officer, Yoshizawa, gave the last order to stab.

183. Q. Did you hear Oishi give any orders?  
A. From what I remember, Lieutenant Oishi gave the order to the senior petty officer, Yoshizawa.

184. Q. Did you see Yoshizawa give this order to begin stabbing?  
A. From what I remember, Senior Petty Officer Yoshizawa gave the order and the stabbing began.

185. Q. I am asking: Did you see Yoshizawa give this order?  
A. As I recall, I heard him give this order.

186. Q. I am asking: Did you see where he was when he gave this order?  
A. I saw Yoshizawa.

187. Q. Was Yoshizawa wearing a shirt at this time?  
A. I cannot recall how he was dressed.

188. Q. Where was Yoshizawa when he gave this order?  
A. According to my recollection, he was out in front of the stabbers toward the right.

189. Q. Do you mean right, facing the prisoners?  
A. Yes.

190. Q. Where was Oishi?  
A. According to my recollection, Oishi was to the left of the stabbers, facing the prisoners.

The commission then, at 3:18 p.m., took a recess until 3:37 p.m., at which time it reconvened.

Present: All the members, the judge advocates, the reporter, the accused, their counsel, and the interpreters.

No witnesses not otherwise connected with the trial were present.

CERTIFIED TO BE A TRUE COPY:

*John R. Berry*  
JUDGE "A" KERRY  
Lieutenant, U. S. Navy  
Judge Advocate

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Takahashi, Masayoshi, the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

Reexamined by the judge advocate:

191. Q. What was the rank of Kamikawa in July of 1944?  
A. From what I recollect, I think he was a lieutenant.

192. Q. Was he any particular kind of a lieutenant?  
A. He was a surgeon lieutenant.

193. Q. What was the rank of Oishi in July of 1944?  
A. I do not know exactly, but I think he was a lieutenant.

194. Q. Was he a particular kind of a lieutenant?  
A. A surgeon lieutenant.

195. Q. What was the rank of Yoshizawa in July of 1944?  
A. He was a chief petty officer.

196. Q. Was he a particular kind of a chief petty officer?  
A. Corpsman.

197. Q. What was the rank of Watanabe during the month of July, 1944?  
A. He was a paymaster chief petty officer.

198. Q. What was the rank of Tanabe in July, 1944?  
A. He was a corpsman chief petty officer.

199. Q. What was the rank of Mukai in July, 1944?  
A. The same, corpsman chief petty officer.

200. Q. What was the rank of Kawashima, during the month of July, 1944?  
A. I do not know exactly.

201. Q. What was the rank of Sawada in July, 1944?  
A. Paymaster chief petty officer.

202. Q. What was the rank of Tanaka in July, 1944?  
A. Corpsman petty officer.

203. Q. What class petty officer was he?  
A. Corpsman chief petty officer.

204. Q. How about Hamatani?  
A. I do not know exactly.

205. Q. Takaishi?  
A. I think he was a corpsman petty officer first class, but I do not know exactly.

206. Q. Akabori?  
A. I do not know exactly.

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*James P. Henry*  
Judge Advocate,  
U.S. Navy,  
Judge Advocate.

207. Q. Kumbara?

A. As I recall, he was a corpsman petty officer first class.

208. Q. Tsutsui?

A. From what I recall, he was a corpsman petty officer first class.

209. Q. Mitsubishi?

A. I do not know exactly.

The accused moved to strike out the answers to questions 191 through 209 on the ground that they were not the best evidence and the witness was not qualified to answer these questions.

The judge advocate replied.

The commission announced that the motion was denied.

Recross-examined by the accused:

210. Q. Do you know how officers were promoted in 1944?

A. I do not know.

211. Q. Do you know how enlisted men were promoted in 1944?

A. I do not know exactly.

212. Q. How do you know what the ranks of these officers were in 1944 then?

A. Because I remember their ranks at this time.

213. Q. How was the rank of an officer indicated?

This question was objected to by the judge advocate on the ground that it was irrelevant.

The accused made no reply.

The commission announced that the objection was sustained.

214. Q. Isn't it true that petty officers were recommended by their division officers, by their department heads, by the head of the hospital, and those recommendations then went back to the Japanese Naval Base at Yokosuka, and after a long interval of time, certain petty officers were promoted and their promotion dated back many, many months, so that it was not possible for anybody to determine what the rate of a certain petty officer was in July of 1944 at Truk?

This question was objected to by the judge advocate on the ground that it was irrelevant and beyond the scope of the redirect examination.

The accused replied.

The commission announced that the objection was sustained.

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*Robert P. Henry*  
C. W. S. Kenn-  
Lieutenant, U. S. Navy,  
Su-40 4-700100.

Neither the judge advocate nor the accused desired further to examine this witness.

The commission did not desire to examine this witness.

The witness said that he had nothing further to state.

The witness was duly warned and withdrew.

A witness for the prosecution entered and was duly sworn.

Examined by the judge advocate:

1. Q. State your name and former rank.
- A. Corporal Petty Officer Second Class, Yamamoto, Shuichi.

2. Q. If you recognize the accused, state their names and ranks.

The witness correctly identified all of the accused with the exception of Anamura.

3. Q. Did you ever serve at Truk?

A. Yes.

4. Q. Where at Truk did you serve?

A. The Fourth Naval Hospital at Truk.

5. Q. Between what dates did you serve there?

A. From the twenty-third of August, 1943, to the end of the war.

6. Q. In July of 1944, what were your duties at the hospital?

A. I was attached to the first surgical ward.

7. Q. And who was in charge of the first surgical ward at that time?

A. What do you mean by "in charge," the whole ward?

8. Q. The whole ward.

A. The doctor in charge of the first surgical ward was Surgeon Commander Okamura.

9. Q. Was there any particular chief petty officer also in charge of that ward?

A. Corporal Chief Petty Officer Tanaka.

10. Q. Did you see any prisoners of war at the hospital?

A. Yes.

11. Q. When was this?

A. The first time I saw prisoners there was in November or December of 1943.

12. Q. Did you ever see any other prisoners at a later date?

A. In the beginning of August or the end of July, 1944.

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*James H. Keary*  
James H. Keary,  
Lieutenant, U. S. Navy,  
Judge Advocate (NAVY)



13. Q. Where did you see them?

A. On the hill back of the officers' quarters of the Fourth Naval Hospital.

14. Q. How did you happen to go up on that hill?

A. That afternoon as I was treating the patients, the order for general assembly was called out, so I put away my instruments and went to the front of the administration building for the general assembly. When I arrived there, no one was there, so I asked the person whom I presumed to be the seaman on duty, and I was told that they had gone to the hill back of the hospital. When I arrived there, there were many spectators and a group of persons who appeared to be stabbers, and more than half of the officers who had swords were in separate groups.

15. Q. You say there was a group of men there whom you presumed to be stabbers. Why do you say that?

A. Because I saw the prisoners and I did not know that they were to be executed and also because they were armed.

16. Q. Where were these armed men standing in relation to the prisoners?

A. From what I recall, they were not already lined up, and they were grouped in front of the prisoners.

17. Q. When were they lined up?

A. As I recall, it was a short time after this.

18. Q. Did anyone order them to line up?

A. I have no recollection whatsoever.

19. Q. When they lined up, where were they in relation to the prisoners?

A. As I recall, they lined up in two vertical lines, facing the prisoners.

20. Q. Were all the men in these two lines armed?

This question was objected to by the accused on the ground that it was leading.

The judge advocate withdrew the question.

21. Q. Were the men who were lined up in the two rows carrying anything?

A. As I recall, they had spears and rifles.

22. Q. About how many had spears and how many had rifles?

A. According to what I remember, the number of persons who had rifles were twelve to thirteen; the number of persons who had spears were five or six.

23. Q. Are any of the men who were in those two rows, carrying either bayonets or spears in this courtroom today?

This question was objected to by the accused on the ground that it was leading.

The judge advocate made no reply.

The commission announced that the objection was not sustained.

A. Yes.

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*John P. Henry*  
John P. Henry,  
Lieutenant, U. S. Navy,  
Judge Advocate.

24. Q. Name them.  
A. Warrant Officer Homma, Warrant Officer Tanabe, Warrant Officer Watanabe, Corporman Chief Petty Officer Kawahara, Paymaster Chief Petty Officer Sawada, Chief Petty Officer Tanaka, Chief Petty Officer Tsutsui, the rest I do not know.

25. Q. I show you some papers and ask you if these papers are in your own handwriting?  
A. That is my handwriting.

26. Q. I direct your attention to a particular section of that first page and ask you if it refreshes your recollection.  
A. I have refreshed my memory.

27. Q. Is there any other man that you remember as being in those two rows armed that day other than the names you have already mentioned?  
A. I just forgot, but there was also Corporman Chief Petty Officer Takaishi.

28. Q. Do you remember now that Takaishi was in those lines?  
A. Yes.

29. Q. Do you remember what he was carrying?  
A. Either a rifle and bayonet or a spear.

30. Q. Do you remember what each of these men was carrying?  
A. They had rifles with fixed bayonets and spears, but I do not remember what each person had. I remember Homma as having a bayonet.

31. Q. Do you remember how these men were standing in relation to one another?  
A. As I recall, they were standing in two columns facing the prisoners and the column to the left had bayonets and the column to the right had spears.

32. Q. Do you know the name of the man who was the first man in the column on the left hand side?  
A. According to my recollection, it was Warrant Officer Homma.

33. Q. And according to your recollection, who was the lead man on the right hand column?  
A. I do not remember.

34. Q. You do not remember his name. Look over these accused and see if you can pick out his face.

This question was objected to by the accused on the ground that it was leading and argumentative.

The judge advocate replied,

The commission announced that the objection was not sustained.

A. I do not remember.

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*James P. Kelly*  
James P. Kelly  
Lieutenant, U. S. Navy  
Judge Advocate

35. Q. After these men had been lined up in two rows, with bayonets and spears, what happened?

A. Shortly after this I recall the head of the hospital, Iwanami, and Kamikawa coming up the hill.

36. Q. What happened then?

A. There was a speech by Captain Iwanami.

37. Q. Do you remember what Captain Iwanami said in his speech?

A. The head of the hospital spoke of Saipan and the bombing and strafing of the hospital, presumably by American planes, and due to this, the patients who were killed and wounded, the sickness of the patients became worse, therefore, died; after which, he stated, "The two prisoners are to be stabbed to death. The persons who are to do this stabbing do not think of them as human beings, but think of them as beasts, and stab with all your might."

38. Q. What did he say then?

A. The head of the hospital conversed with Kamikawa. Kamikawa conversed with the officer-of-the-day and Oishi, and Oishi then spoke to the head of the hospital. I, who was among the ranks of the petty officer and seamen, who were spectators, did not hear what they said.

39. Q. After these conversations, what happened then?

A. Lieutenant Oishi, who was standing in front and to the left of the stabbers who had been given the duties as stabbers through the absolute orders of the superior officers, gave the order to stab the prisoners.

The commission directed that the words "who had been given the duties as stabbers through the absolute orders of the superior officers" be stricken out on the ground that they were the mere opinion of the witness.

40. Q. Who designated these men to be stabbers?

A. As I was not always around the superior officers, I do not know who gave the orders, but I believe the orders came from the head of the hospital.

41. Q. What happened after Oishi gave orders to these men?

A. The stabbers who had no intent to kill could not hold their positions, and the ranks became confused, but no one left the ranks. Lieutenant Oishi gave orders to the first one in the columns to stab.

42. Q. What happened after he gave these orders?

A. As I recall, orders were given the persons who had the duty as stabbers, the persons on the left and right who had the duties as stabbers, to stab.

The witness was duly warned.

The commission then, at 4:30 p.m., adjourned until 9 a.m., tomorrow, Tuesday, July 8, 1947.

ORIGINAL TO BE  
James P. [Signature]  
Lieutenant, U. S. Navy

THIRTEENTH DAY

United States Pacific Fleet,  
Commander Marianas,  
Guam, Marianas Islands.  
Tuesday, July 8, 1947.

The commission met at 9 a. m.

Present:

Rear Admiral Arthur G. Robinson, U. S. Navy,  
Lieutenant Colonel Henry K. Roseco, Coast Artillery Corps, United States  
Army,  
Lieutenant Colonel Victor J. Garbarino, Coast Artillery Corps, United  
States Army,  
Lieutenant Colonel William K. Lanman, junior, U. S. Marine Corps,  
Lieutenant Commander Bradner W. Lee, junior, U. S. Naval Reserve,  
members, and  
Lieutenant Commander Joseph A. Regan, U. S. Navy, and  
Lieutenant James P. Kenny, U. S. Navy, judge advocates.  
Robert R. Miller, yeoman first class, U. S. Navy, reporter.  
The accused, their counsel, and the interpreters.

The record of proceedings of the twelfth day of the trial was read and  
approved.

No witnesses not otherwise connected with the trial were present.

Yamamoto, Shuichi, the witness under examination when the adjournment  
was taken, entered. He was warned that the oath previously taken was still  
binding, and continued his testimony.

(Examination continued.)

43. Q. After this order was given, what happened then?

A. Lieutenant Oishi gave orders to each person in each row to stab.

44. Q. Did they stab?

A. Yes.

45. Q. How many people did you actually see stab?

A. I saw Warrant Officer Nomma, Warrant Officer Watanabe, Chief Petty Officer  
Sameda, and Chief Petty Officer Tamaka stab.

46. Q. What about the others?

A. I do not remember.

47. Q. After the stabbing had been completed, what happened then?

A. Then Ensign Yoshizawa cut the prisoner with a long sword and, I do not  
know the name or rank of the person, but a person from the Forty-first Naval  
Guard Unit also cut at the prisoner.

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*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate

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48. Q. Is that person from the Forty-first Naval Guard Unit here in court today?

A. I do not know.

49. Q. How many times did Yoshizawa use a sword on these prisoners?

A. I saw him cut the prisoner with the sword, but I do not know how many times he cut.

50. Q. How many times did this officer from the Forty-first Guard Unit use a sword?

This question was objected to by the accused on the ground that it was leading.

The judge advocate replied.

The commission announced that the objection was not sustained.

A. I do not know.

51. Q. After Yoshizawa and this officer from the Forty-first Guard Unit had ceased using swords on these prisoners, what happened then?

A. By the orders of Captain Wanada, the clothing was removed from the prisoners and the bodies buried.

52. Q. Where were the bodies buried?

A. They were buried in a hole presumed to be an old anti-aircraft lookout post.

53. Q. Do you know what became of the bones of these prisoners?

A. I do not know.

54. Q. Now, going back to the time when you first came up on that hill, were the prisoners already tied on that bar?

This question was objected to by the accused on the ground that it was leading.

The judge advocate withdrew the question.

55. Q. Describe the position of the prisoners when you first came up on that hill?

A. The prisoners were tied standing to a cross-bar between two trees.

56. Q. Do you know who tied these prisoners to that cross-bar?

A. I do not know.

Cross-examined by the accused:

57. Q. On direct examination by the judge advocate yesterday, you replied that your period of duty at Truk was from the twenty-third of August, 1943, until the end of the war. What were you doing after the end of the war?

This question was objected to by the judge advocate on the ground that it was irrelevant.

CERTIFIED TO BE A TRUE COPY:

*James P. Gray*  
Judge Advocate  
U. S. Navy

The accused replied.

The commission announced that the objection was sustained.

58. Q. You testified that you heard the call for general assembly and that you assembled in front of the administration building. What time was it when you heard this order for a general assembly?

A. As I recall, it was about three o'clock in the afternoon of that day.

59. Q. When you heard this order, where were you and what were you doing?

A. I was treating the patients in the first surgical ward.

60. Q. From whom did you hear about this general assembly order?

A. I do not know who it was but there is no mistake that a general assembly was called.

61. Q. What was said in this order?

A. I forgot the contents of that order.

62. Q. Did the person who gave this call for a general assembly call this out in the corridor or did he come to you and tell you that there was a general assembly?

A. There is no mistake that I heard this order being called out by the administration building, but it was not told to me directly.

63. Q. You testified that you heard this call for general assembly and that you went to the front of the administration building and that no one was there and you asked the seaman on duty about this. Do you remember who this seaman was?

A. As I stated yesterday, I did not say he was a seaman on duty at the hospital, I said I presumed he was a seaman on duty at the hospital.

64. Q. Then, you do not remember his name?

A. No.

65. Q. Did you climb this hill by yourself?

A. Yes.

66. Q. Did persons continue to come up this hill after you had climbed this hill?

A. I do not know.

67. Q. When you arrived at the scene, how many persons were already assembled there?

A. I cannot say exactly, but from what I recall, there were from about seventeen to eighteen officers and about thirty to forty enlisted men assembled.

68. Q. What were these persons doing?

A. I do not know about each person, but I saw them standing about at the scene.

69. Q. Where did you take your place among these persons?

A. I went to the rear of the enlisted men who were spectators.

DETTIFIED TO BE A TRUE COPY:

*John M. Kelly*  
Lieutenant, U.S. Navy,  
Judge Advocate.

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70. Q. Were you in this position all through this incident?

A. Yes, generally in that position.

71. Q. What was your distance from the prisoners?

A. As I did not measure it, I cannot say.

72. Q. Do you know the approximate distance?

A. As I recall, about twenty to twenty-five meters.

73. Q. You testified as to persons who had the duties as stabbers. What was the distance from yourself to the nearest stabber?

A. I think it was about ten to fifteen meters.

74. Q. You testified yesterday, "Stabbers who were given the duties of 'stabbers and had no will to kill.'" What do you mean by this?

A. As I recall, no one liked this duty, and it also came out in their actions and I believe they did not have the intent to kill.

The judge advocate moved to strike out this question and answer on the ground that the question called for the opinion of the witness and the answer was the mere opinion of the witness.

The accused replied.

The commission directed that the question and answer be stricken out.

75. Q. You testified that when you first arrived at the scene that you saw a group of armed men. Is this correct?

A. It is correct.

76. Q. What kind of weapons did they have at this time?

A. I saw persons who had spears, bayonets and swords.

77. Q. On the rifles, were bayonets already fixed?

A. I do not remember.

78. Q. Did each person have spears or rifles with bayonets?

A. What do you mean by each person? Do you mean all of them?

79. Q. You stated you saw a group. What did each person have?

A. As I recall, everyone had a weapon.

80. Q. Did the persons in the group also have swords?

A. The persons who had swords were officers and they were separate from this group.

81. Q. Was this armed group only made up of petty officers?

A. I do not remember exactly.

82. Q. Were there any seamen among them?

A. I do not remember.

CERTIFIED TO BE A TRUE COPY:  
*James P. Henry*  
James P. Henry,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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83. Q. Did the persons in this armed group later form the two lines?

A. Yes.

84. Q. Did all of them form the two lines?

A. All of them lined up.

85. Q. Do you remember where Oishi was when he gave the order to stab?

A. According to my recollection, he was standing in front of the stabbers and between the prisoners and the stabbers.

86. Q. Was he closer to the left or right column facing the prisoners?

A. As I recall, he was to the left.

87. Q. Was this when he gave this order?

A. Yes.

88. Q. Wasn't he toward the right of the prisoners when he gave the order?

A. As I recall, he was on the left.

89. Q. Where was Yoshizawa?

A. I cannot say exactly, but from what I remember, he was to the left and back of Oishi.

90. Q. Was Yoshizawa wearing a shirt?

A. I have no distinct recollection, but I remember his having a towel wrapped around his head.

91. Q. Among the persons assembled on the hill, was there anyone there without a shirt?

A. I have no recollection.

92. Q. Was everyone wearing a shirt?

A. According to what I remember, everyone was wearing a shirt.

93. Q. Do you remember how many petty officers there were at the time of this incident?

A. I do not remember exactly, but from what I remember there were from about twenty to thirty petty officers.

94. Q. How many seamen were there?

A. From what I remember, about fifty to sixty.

95. Q. Do you recall almost all of the petty officers at that time being present at the scene?

A. As I did not check on each petty officer, I cannot say absolutely that all the petty officers were present.

96. Q. Then, can you say that there were petty officers who were not present at the scene?

A. Because it is my recollection, I remember the petty officers that I stated before being at the scene.

97. Q. My question is, can you say that there were petty officers who were not present at the scene?

A. I can not say absolutely.

CHIEF CLERK TO BE A TRUE COPY:

*James P. Henry*  
James P. Henry,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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98. Q. You testified that you did not remember if there were seamen among the persons in this armed group. Is this correct?  
A. I have no recollection.

99. Q. You testified that the number of persons in this armed group was about from seventeen to eighteen. Is this correct?  
A. Yes.

100. Q. Then, it is correct that the persons who were in that group were not all of the petty officers at that time?  
A. I do not know.

101. Q. If it was a general assembly, shouldn't almost all of the petty officers and seamen have been present?  
A. As I stated before, almost all the persons were assembled, but due to their stations and duties, there were persons who were not present and I cannot state absolutely to the number.

102. Q. Are you sure of the number of persons who were in that armed group?  
A. I remember it being a group of seventeen to eighteen persons.

103. Q. Referring to the part of your testimony concerning the orders of Oishi. Did Oishi give the orders to the stabbers two by two to the last man?  
A. As I recall, Oishi gave orders to all of the men in the column.

104. Q. What was the substance of this order?  
A. As I recall, it was "Stabi"

105. Q. You testified that you were at the scene up to the point where the dead bodies were buried. What time was it when you returned to your station?  
A. As I did not see a clock, I do not know exactly.

106. Q. Do you know the approximate time that you returned to your station?  
A. As I recall, it was about four o'clock that afternoon.

107. Q. You testified that about three o'clock you heard this order for general assembly and that you went to the front of the administration building and from the administration building you went to the hill back of the hospital. How much time does it take from the front of the administration building to the top of this hill?  
A. As I hurried up the hill, I recall it was about three to four minutes.

108. Q. In reply to a question on cross-examination, you testified that each person stabbed the prisoners. Did the stabbers continue to stab two at a time until the last person had stabbed?  
A. Yes.

109. Q. Then, do you mean that both of the columns had the same number of people?  
A. As I recall, it was approximately that way.

110. Q. In yesterday's testimony, you testified that the persons with spears were five to six and the persons with bayonets were fifteen to sixteen, and also you testified that the left column was made up of persons with bayonets and the right column was made up of persons with spears. Is there not an inconsistency in your testimony?

CERTIFIED TO BE A TRUE COPY:

*James P. Kenney*  
James P. Kenney,  
Lieutenant, U. S. Navy,  
Judge Advocate.

A. When I stated this that was what I remember, and as I stated yesterday, these persons did not want to stab and the lines became confused. After the lines had become confused, they intermingled and as I recall the lines were approximately the same length.

111. Q. Then, is it a mistake in your testimony when you state that one line was spears and one was bayonets?

This question was objected to by the judge advocate on the ground that counsel was characterizing the testimony of the witness.

The accused made no reply.

The commission announced that the objection was not sustained.

A. From what I saw and what I remember, that is how I remember it.

112. Q. After the order to stab was given and the persons stabbed, how much time elapsed before the next person stabbed?

A. As I did not have a watch, I do not know how much time elapsed.

113. Q. I am asking you the approximate time.

A. As I recall, about one or two minutes.

114. Q. What was the distance between the prisoners and stabbers?

A. About three to four meters.

115. Q. When were you promoted to a petty officer second class?

A. As I recall, it was in the end of August, 1945.

116. Q. What was your rate at the time of this incident?

A. I was a superior seaman.

117. Q. You state that you were treating patients, and when you heard the order for general assembly, you put away your instruments and went to the front of the administration building. What happened to the patients you left?

This question was objected to by the judge advocate on the ground that it was irrelevant and immaterial.

The accused replied.

The commission was cleared. The commission was opened. All parties to the trial entered, and the commission announced that the objection was not sustained.

A. They were surgical patients, and I finished treating the one patient I was treating, and the rest I left there.

118. Q. Was Doctor Ohnyama in the surgical ward at this time?

A. Doctor Ohnyama was not there.

CERTIFIED TO BE A TRUE COPY:

*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate

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119. Q. Was Chief Petty Officer Tanaka there?

A. As for Tanaka, as he was also working at the operation room, I do not remember.

120. Q. Who was there with you?

A. A seaman of my same class, Shoji, was with me.

121. Q. How many patients were you treating?

A. Do you mean the whole surgical ward, or just the ones I was treating?

122. Q. You said you were treating patients. How many were you treating?

A. I forget the number of patients I treated before, and I was continuing the treatment and I treated one patient and then this order for general assembly was called out.

123. Q. What were you treating this patient for?

This question was objected to by the judge advocate on the ground that it was irrelevant.

The accused replied.

The commission announced that the objection was sustained.

124. Q. Did you as an enlisted man whose rating was a superior seaman often treat patients in the surgical ward when neither Okuyama or Tanaka or any other doctor or chief petty officer was present?

A. Patients who were not special cases or needed special treatment, the corpeman would treat these patients.

125. Q. What instruments did you put away?

A. I do not remember them all now, but I put away iodine, mercurchrome, a sulfa drug, pincers and scissors.

126. Q. What officers did you see with swords on the hill?

A. I do not remember exactly, but I remember that the officers had swords.

127. Q. Did you see Captain Iwanami on the hill?

A. I did.

128. Q. With a sword?

A. I remember he did not have a sword, but he had a walking stick.

129. Q. Did you see Lieutenant Commander Kamikawa on the hill that afternoon?

A. Yes.

130. Q. With a sword?

A. As I recall, he did not have a sword.

131. Q. Did you see Lieutenant Oishi on the hill?

A. Yes.

132. Q. With a sword?

A. I do not remember.

OFFERED TO BE A TRUE COPY:

*James P. Kearney*  
Lieutenant, U. S. Navy,  
Chicago, Illinois

133. Q. Did you see Captain Taneda on the hill?

A. Yes.

134. Q. With a sword?

A. I do not remember.

135. Q. Were the persons in the two columns before the prisoners only chief petty officers?

A. No.

136. Q. Were they standing in order of rating?

A. I do not remember.

137. Q. You stated Warrant Officer Houma was in the line. Was he a warrant officer at the time?

A. He was a chief petty officer.

138. Q. Was Sawada the only paymaster petty officer in the line of stabbers?

A. That is how I remember it.

139. Q. What were his duties at the hospital then?

A. As I am not Sawada, I do not know.

140. Q. Was there anyone else in the paymaster group in that line of stabbers?

A. Do you mean other to Sawada?

141. Q. Yes, who else?

A. I think Warrant Officer Watanabe was there.

142. Q. Do you know what Warrant Officer Watanabe's duties were at the hospital then?

A. Do you mean his duties at the scene?

143. Q. No, at the hospital.

A. As I recall, he was doing the work in the general affairs section attached to the adjutant's office.

144. Q. Did you hear Oishi give orders to stab?

A. Yes.

145. Q. What did he say?

A. As I recall, he gave the order to stab and each person acted.

146. Q. Did he give the order to each person then?

A. As I recall, he gave the orders to two persons at a time and they acted.

147. Q. Who were the first two persons that he gave the orders to?

A. As I recall, the person on the left was Warrant Officer Houma, but the one on the right I do not know.

148. Q. You stated the armed men were lined up in two vertical lines facing the prisoners. What do you mean by vertical lines?

A. I mean vertical lines.

CONFIRMED TO BE A TRUE COPY:

*James P. Henry*  
James P. Henry,  
Lieutenant, U. S. Navy,  
Judge Advocate.

149. Q. Did Emma have a bayonet?

A. I remember his having a bayonet.

150. Q. Did Tanaka have a bayonet when he stabbed?

A. I do not remember.

151. Q. Did he have a spear?

A. I do not remember, but there is no mistake that he had a weapon.

152. Q. Did Warrant Officer Watanabe have a spear?

A. I do not remember.

153. Q. Did he have a bayonet?

A. I do not remember.

154. Q. Did Sawada have a bayonet?

A. I do not remember.

155. Q. Did he have a spear?

A. I do not remember, but I remember there is no mistake that he had a weapon.

156. Q. Who else besides the men you have named had spears?

A. I do not remember.

157. Q. Who else other to the men you have named had bayonets?

A. I do not remember.

158. Q. When you saw Iwanami and Kamikawa coming up the hill were they the last ones to arrive on the scene?

A. As I recall, they were one of the last, but I do not remember if anyone else came up after them.

159. Q. Who was in charge of the assembly before Iwanami and Kamikawa arrived?

A. I do not remember.

The commission then, at 10:33 a. m., took a recess until 10:53 a. m., at which time it reconvened.

Present: All the members, the judge advocates, the reporter, the accused, their counsel, and the interpreters.

No witnesses not otherwise connected with the trial were present.

Yamamoto, Shuichi, the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

(Cross-examination continued.)

160. Q. Were the armed men lined up before Kamikawa and Iwanami arrived?

A. As I recall, they were lined up.

CERTIFIED TO BE A TRUE COPY:

*James P. Kelly*  
James P. Kelly,  
Lieutenant, U. S. Navy,  
Judge Advocate.

161. Q. Who ordered them to line up?

A. I do not remember.

162. Q. In his speech, did Iwanami say the prisoners were guilty of bombing the hospital?

A. He did not say they were guilty.

163. Q. Did he say the bombing of the hospital was against the law of war?

This question was objected to by the judge advocate on the ground that it was irrelevant and immaterial.

The accused replied,

The commission announced that the objection was not sustained.

A. As I recall, the head of the hospital said the bombing of the hospital was unlawful.

164. Q. Did he say the prisoners were to be punished for bombing the Truk hospital?

A. As I remember, that is what he said.

165. Q. Did he say they had been found guilty after a trial and were to be punished accordingly?

A. No.

166. Q. Did you have any duties on the hill at the scene of the execution that day?

A. No.

167. Q. You only went to the hill as a spectator then?

A. According to the general assembly, I went up the hill and was among the spectators.

168. Q. No one assigned you any special duties on the hill that afternoon?

A. No.

169. Q. Who was the officer-of-the-day?

A. As I recall, it was Lieutenant Oishi.

170. Q. When you say you recall it was Oishi, do you know what the duties of the officer-of-the-day are?

A. I do not know the duties of the officers well.

171. Q. Does the officer-of-the-day wear an arm band showing he is the officer-of-the-day?

A. Yes.

172. Q. Does he wear a sword?

A. At the hospital, a sword is not worn.

173. Q. Where does the officer-of-the-day at the hospital stand his duties?

A. The officer-of-the-day has a white band on his arm which states "Officer-of-the-Day."

DETERMINED TO BE A TRUE COPY:

*James P. Kelly*  
Lieutenant, U. S. Navy.  
Judge Advocate

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174. Q. Where does the officer-of-the-day at the hospital stand his duties?  
A. According to my memory, there is no designated spot for the officer-of-the-day. According to his duties, he may be at the hospital wards or at the duty room or at the reception room.

175. Q. Do you know if he is allowed to leave the hospital buildings?  
A. I do not know.

176. Q. Was there a regular posted list of the officers who had the duty? Was such a list posted at the hospital?  
A. I have never been to the officers' room, and I do not know; but as I recall, there was an order in which the officers stood the duties of officer-of-the-day.

177. Q. How did you know that Oishi was the officer-of-the-day that day?  
A. I remember his standing in front of the persons in the morning and afternoon when the people of the hospital lined up to be given their duties of that day. I remember his being there with this hand stating "Officer-of-the-Day."

178. Q. What time of the morning was that?  
A. As I recall, it was 7:15 a. m.

179. Q. Is that the usual time when the officer-of-the-day comes on duty?  
A. As I recall, the officer-of-the-day changed before that time.

180. Q. Was Oishi wearing his arm band at the scene of the execution?  
A. As I recall, I think he was wearing it.

181. Q. Were there any gunshots or natives on the hill at the scene of the execution?  
A. I do not remember.

182. Q. These swords that you spoke about the officers wearing, were they the ordinary swords which the officers carried with them?  
A. Do you mean all of the officers?

183. Q. Yes.  
A. Yes.

184. Q. You testified that Hama stabbed first. Is that correct?  
A. That is correct.

185. Q. What happened to the prisoner when Hama stabbed?  
A. I remember the prisoner being stabbed and blood coming from the prisoner.

186. Q. Who stabbed next?  
A. I do not remember.

187. Q. What did Watanabe stab with?  
A. I do not know if it was a spear or a bayonet, but I saw him stab with a weapon.

CONFIRMED TO BE A TRUE COPY:

*John P. Henry*  
John P. Henry, U. S. Navy,  
Judge Advocate  
U. S. Navy

188. Q. What happened to the prisoner when he stabbed him?  
A. I do not remember.

189. Q. What prisoner did he stab?  
A. I do not remember.

190. Q. Was it the same prisoner that Hama stabbed?  
A. There is no mistake that he stabbed, but I do not remember which prisoner it was.

191. Q. Did you see blood come from the prisoner after Watanabe stabbed him?  
A. I do not remember.

192. Q. What did Sawada stab with?  
A. I do not know whether it was a spear or bayonet, but I remember he stabbed with a weapon.

193. Q. What prisoner did he stab?  
A. I do not remember.

194. Q. Do you remember what happened to the prisoner when Sawada stabbed him?  
A. I do not remember.

195. Q. Was the prisoner still standing up?  
A. As he was tied to a cross-bar, he was still standing up.

196. Q. What did Sawada do after he stabbed the prisoner?  
A. I do not remember.

197. Q. Did he wash off his bayonet?  
A. I do not remember.

198. Q. Do you remember what Watanabe did after he stabbed the prisoner?  
A. There is no mistake that he stabbed, but I do not remember what happened afterward.

199. Q. What did Tanaka stab with?  
A. I do not remember if it was a spear or bayonet.

200. Q. What prisoner did he stab?  
A. I do not remember.

201. Q. What happened to the prisoner Tanaka stabbed?  
A. I do not remember.

202. Q. Did you see blood come from the prisoner?  
A. I do not remember.

203. Q. What did Tanaka do after he stabbed the prisoner?  
A. I do not remember.

204. Q. Which prisoner did you see Yoshizawa cut?  
A. I do not know which prisoner he cut, but I saw him cut a prisoner.

205. Q. Was the prisoner standing up when he cut?

SEARCHED BY: TRUE COPY:

*James P. Kelly*  
Lieutenant, U.S. Navy  
Judge Advocate



206. Q. Was the prisoner bleeding?

A. I do not remember.

207. Q. How many times had this prisoner been bayoneted?

A. I do not remember.

208. Q. How many times had he been speared?

A. I do not remember.

209. Q. Was this the same prisoner that Hama stabbed?

A. I do not remember.

210. Q. Was it the same prisoner that Sawada stabbed?

A. I do not remember.

211. Q. Was it the same prisoner that Watanabe stabbed?

A. I do not remember.

212. Q. Was it the same prisoner that Tanaka stabbed?

A. I do not remember.

213. Q. You testified that you saw an officer from the Forty-first Naval Guard Unit out. Was the prisoner standing up that this officer out?

A. The same as before, he was tied to a cross-bar.

214. Q. Was the prisoner bleeding?

A. I do not know.

215. Q. How many times had this prisoner been bayoneted and speared?

A. I do not remember.

216. Q. Do you remember if he had been bayoneted or speared?

A. I think there is no mistake that they were stabbed by spears or bayonets, but as I did not go close, I cannot say which had been stabbed with which.

217. Q. How close were you to these prisoners when they were being stabbed?

A. As I recall, I think it was about from twenty to twenty-five meters away.

218. Q. Was this the same prisoner that Hama stabbed?

A. Yes.

219. Q. Was Captain Taneda wearing a sword?

A. I do not remember.

220. Q. Was Captain Inuzumi still there when Captain Taneda ordered the clothing removed from the prisoners?

A. I do not remember.

221. Q. When did he order to do this?

A. He ordered this to the workers, but I do not remember their <sup>names</sup>.

222. Q. Was Captain Inuzumi still there when Captain Taneda ordered the bodies to be buried?

A. I do not remember.

TESTIFIED TO BE A TRUE COPY:

*James P. Farney*  
James P. Farney  
Lieutenant, U. S. Navy,  
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223. Q. When did he order to do this?

A. He ordered this to the workers, but I do not know their ranks or names.

224. Q. Did the same persons bury the prisoners as removed the clothing from the prisoners?

A. As I recall, yes.

225. Q. What clothing was removed from the prisoners?

A. As I recall, it was a khaki clothing overall work uniform.

226. Q. Were the prisoners wearing Japanese clothing?

A. As I did not go close by and touch it, I do not know what country's clothing it was.

Remained by the judge advocate:

227. Q. Do you know the rank of Sameda in July, 1944?

A. As I recall, it was paymaster petty officer first class.

228. Q. Do you know the rank of Hamstone in July, 1944?

A. A corporan petty officer second class.

229. Q. Do you know the rank of Tanaka in July, 1944?

A. Corporan petty officer first class.

230. Q. Do you know the rank of Akabori in July, 1944?

A. Corporan petty officer second class.

231. Q. Do you know the rank of Kumbara in July, 1944?

A. Corporan petty officer second class.

232. Q. Yutouji?

A. Corporan petty officer second class.

233. Q. Mitsuhashi?

A. Corporan petty officer second class.

234. Q. Asamura?

A. I knew that he was an officer, but I did not know his name or his rank.

235. Q. Did you see Asamura on the hill in July, 1944?

This question was objected to by the accused on the ground that it was leading.

The judge advocate withdrew the question.

236. Q. When did you first get to the Fourth Naval Hospital?

A. On the twenty-third of August, 1943.

237. Q. Do you know the rank of Sakagami in January and February, 1944?

A. I think he was a warrant officer.

CERTIFIED TO BE A TRUE COPY:  
*James P. Henry*  
James P. Henry  
Lieutenant, U. S. Navy  
Judge Advocate

238. Q. Any particular kind of warrant officer?

A. Carpenter warrant officer.

Recess-examined by the accused:

239. Q. Were you in the same division as Sumada?

A. No.

240. Q. How do you know what his rating was then?

A. Because we were working in the same hospital.

241. Q. Did you know what his rating was in July, 1944, or is what you have just testified to what you recall now?

A. I remember that he was a paymaster petty officer first class around July, 1944.

242. Q. Do you remember when he was made a chief petty officer?

A. I think it was November, 1944.

243. Q. Were you in the same department as Watanabe?

A. No.

244. Q. How do you know what his rating or rank was in July, 1944?

A. Because he was performing the duties of the senior petty officer of the paymaster division.

245. Q. How many enlisted men were in the division that you were in?

This question was objected to by the judge advocate on the ground that it was beyond the scope of the redirect examination.

The accused replied.

The commission announced that the objection was sustained.

Neither the judge advocate nor the accused desired further to examine this witness.

The commission did not desire to examine this witness.

The witness made the following statement:

The persons who had the duties as stabbers had this duty through the order of the head of the hospital. I can only think that the petty officers who had no intent to kill acted mechanically or as robots.

The commission directed that the words "I can only think that the petty officers who had no intent to kill acted mechanically or as robots" be stricken from the record on the ground that it was the opinion of the witness.

The witness was duly warned and withdrew.

The commission then, at 11:29 a. m., took a recess until 2 p. m., at which time it reconvened.

OFFERED TO BE A TRUE COPY:

*James A. Hendry*  
James A. Hendry,  
Lieutenant, U. S. Navy,  
Judge Advocate, U. S. Navy.

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Present: All the members, the judge advocates, the accused, their counsel, and the interpreters.

Joseph Kase, junior, yeoman second class, U. S. Navy, reporter.

No witnesses not otherwise connected with the trial were present.

A witness for the prosecution entered and was duly sworn.

Examined by the judge advocates

1. Q. State your name and former rank.

A. Corporal Petty Officer Second Class, Imperial Japanese Navy, Masagawa, Masuno.

2. Q. If you recognize the accused, state their names and former ranks.

The witness correctly identified by name all of the accused.

3. Q. Were you ever stationed at Truk?

A. Yes.

4. Q. Where at Truk were you stationed?

A. The Fourth Naval Hospital.

5. Q. Between what dates did you serve at that hospital?

A. On the twenty-fourth of December, 1943, I arrived at Truk and immediately became attached to the Fourth Naval Hospital, and I have been stationed there until the present.

6. Q. What were your duties in July of 1944?

A. I was attached to the second contagious ward.

7. Q. Who was the leading petty officer of the number two contagious disease ward?

A. I forget.

8. Q. Did you ever see any prisoners of war at the hospital?

A. Yes.

9. Q. When did you see them there?

A. Around the end of July, 1944.

10. Q. Where did you see them?

A. On the hill at the hospital.

11. Q. How did you happen to be on that hill?

A. I do not know how they came to be on the mountain. I was told by the senior petty officer of my division to go to the top of the hill, so I passed in front of the administration building and went up the hill. I heard about the general assembly from the senior petty officer of this division, so I passed in front of the administration building and went up the hill.

12. Q. Who was the senior petty officer of your division?

A. Corporal Chief Petty Officer Masashima.

IDENTIFIED TO BE A TRUK COPY:

*James M. Perry*  
Lieutenant, U. S. Navy,  
Judge Advocate.

13. Q. And what exactly did Kawashima tell you?

A. We were told that as there is a general assembly on the hill back of the hospital, everyone of you go.

14. Q. When you say "we were told," who were the "us"?

A. I was the only one when he was talking to.

15. Q. When he told you to do this, what did you do?

A. When I was told that, it was a general assembly at the hill back of the hospital, as this was an order in the service, I went immediately to the hill in back of the hospital because I was not on duty.

16. Q. And when you got up on top of that hill, what did you see?

A. When I came up this hill, I saw two prisoners.

17. Q. What were the prisoners doing?

A. The prisoners were tied to a tree.

18. Q. How were they tied?

A. They were tied with their hands behind their backs.

19. Q. How were their feet in relation to the ground?

A. They were standing at attention. They were blindfolded with their hands tied behind their backs.

20. Q. Other than their hands being tied behind their backs, were they tied in any other fashion?

This question was objected to by the accused on the ground that it was leading.

The judge adverse withdrew the question.

21. Q. After having noted that their hands were tied behind their backs, did you note anything else about these prisoners?

A. I did not notice anything.

22. Q. Well, after you saw the two prisoners and saw they were tied to a tree, what else did you see?

A. There were about five or six persons lined up there. According to orders, I saw them stab.

23. Q. How many persons were lined up in front of these prisoners?

A. From what I recall, there were five or six.

24. Q. Were they in one line or in more than one line?

This question was objected to by the accused on the ground that it was leading.

The judge adverse made no reply.

The commission announced that the objection was not sustained.

A. They were in two lines.

CERTIFIED TO BE A TRUE COPY:

*James P. Henry*  
James P. Henry,  
Lieutenant, U. S. Navy,  
Judge Advocate.

25. Q. How many people were in each line?

A. There were five or six in one line and five or six in the other.

26. Q. Can you tell us the names of the men who were in these lines?

A. The first person in the left line was Warrant Officer Hanna. The others I do not know in what order they were in line, but there was Warrant Officer Watanabe, Paymaster Chief Petty Officer Sameda, Corporman Chief Petty Officer Tanaka, Corporman Chief Petty Officer Takahashi, Corporman Chief Petty Officer Kawashima, Corporman Chief Petty Officer Mitsubishi, Corporman Chief Petty Officer Totsui, Corporman Chief Petty Officer Hamatani, Corporman Chief Petty Officer Akabari. I remember the ones I mentioned above, also Warrant Officer Tanabe.

27. Q. Are there any others who are here present in court today that were in these two lines? Look at these people.

A. There is.

28. Q. Who else?

A. Also there was Corporman Chief Petty Officer Kusahara.

29. Q. Are there any other men in this court room today that you saw on that hill that afternoon other than the men you have already named as being in the two lines?

A. There are.

30. Q. Tell us who they are.

A. Captain Iwanami, Lieutenant Oishi, Lieutenant Commander Kamikawa, Ensign Yoshizawa. The rest I do not know.

31. Q. These two lines that were standing in front of the prisoners, were they carrying anything in their hands?

This question was objected to by the accused on the ground that it was leading.

The judge advocate withdrew the question.

32. Q. Where did you see these two lines of men whose names you have mentioned?

A. The officers were lined up to the left of where the stabbers were, and to the back of the stabbers were lined up the enlisted men.

33. Q. Where were these two lines of men standing in relation to the prisoners?

A. They were lined up in two lines in front of the prisoners.

34. Q. Were they carrying anything?

A. According to my recollection, they had spears.

PREPARED TO BE A TRUE COPY:

*James M. Henry*  
James M. Henry,  
Lieutenant, U. S. Navy,  
Judge Advocate.

35. Q. Do you remember how many had spears and how many had bayonets?  
A. According to my recollection, just half and half.

36. Q. Was there anyone in charge of these men?  
A. I do not remember.

37. Q. After you saw the two prisoners tied up and the two lines of armed men standing in front of them, what happened then?  
A. There was a speech by the head of the hospital.

38. Q. And what happened after the speech?  
A. After the speech, the head of the hospital, Lieutenant Commander Kashiwa and Lieutenant Oishi were having a conversation, but I could not hear them.

39. Q. What happened after this conversation?  
A. As I remember, with the order from Lieutenant Oishi to stab, the stabbers stabbed.

40. Q. Did they all stab?

This question was objected to by the accused on the ground that it was leading.

The judge advocate withdrew the question.

41. Q. Did all the men in those two lines standing in front of the prisoners with bayonets and spears stab the prisoners?  
A. I do not remember that all of them stabbed.

42. Q. How many did you see stab?  
A. Of all the persons in the two rows, I saw four persons stab.

43. Q. Name the four that you saw stab.  
A. Warrant Officer Hama, Warrant Officer Watanabe, Paymaster Chief Petty Officer Senda, Corporal Chief Petty Officer Tanaka; these I remember.

44. Q. Where was Hama standing in the lines, if you remember?  
A. He was the first person in the left row.

45. Q. Who was the first person in the right row?  
A. I do not remember.

46. Q. Was Watanabe the first person in the right row?

This question was objected to by the accused on the ground that it was leading.

The judge advocate withdrew the question.

47. Q. Were any of the three men whose names you have mentioned besides Hama, the lead man in the right row?  
A. I do not remember.

48. Q. Well, who was the first man in the right row?  
A. I do not remember who the first person in the right row was.

REPRODUCTION TO BE A TRUE COPY:

*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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49. Q. What happened after they finished stabbing?  
A. After they finished stabbing, I immediately left and went to the hospital ward, so I do not know what occurred after the stabbing.

50. Q. What became of the prisoners?

This question was objected to by the accused on the ground that it called for the opinion of the witness.

The judge advocate withdrew the question.

51. Q. Do you know what became of the prisoners?  
A. As I recall, the necks of the prisoners were cut at with swords.

52. Q. Who did that?  
A. From what I recall, Yoshizawa and Lieutenant Oishi did the cutting.

53. Q. Were they the only ones who cut at the prisoners?  
A. That is all I remember.

54. Q. After this incident was over, did you have any conversation with any of these accused concerning this incident?  
A. I heard from the head of the hospital after the end of the war that I was never to speak about this incident.

Cross-examined by the accused:

55. Q. You testified that the chief petty officer of your division told you about the general assembly and that the chief petty officer of your division was Kamashima. Where did he tell you this?  
A. When I was in the hospital ward.

56. Q. How many minutes elapsed from the time you heard until you left the hospital ward?  
A. About five minutes.

57. Q. After you were told this, did you go together with Kamashima?  
A. I went by myself.

58. Q. What did Kamashima do after he told you this?  
A. I do not know.

59. Q. When you arrived at the scene, were the lines of the stabbers already formed?  
A. When I arrived, the ranks were still irregularly formed.

60. Q. The ranks were not regularly formed, but were the persons with the spears and bayonets in a distinct separate group?  
A. Generally, yes.

61. Q. Was Kamashima in this group?  
A. I remember Kamashima being in that line.

IDENTIFIED TO BE A TRUE COPY:

*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate

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62. Q. What was your rank at the time of this incident?

A. I was a seaman first class.

63. Q. You testified that you remember Watanabe and Sasaki as being before these two prisoners. Was there any special thing which you noticed by which you remembered them?

A. I do not remember seeing anything special about them, but I remember seeing them there with my own eyes.

64. Q. When you arrived at the scene, how many persons were already assembled there?

A. There were about twenty to thirty officers assembled and about fifty to sixty enlisted men assembled there.

65. Q. At this time, how many persons were stationed at the hospital?

A. I recall there were about one hundred twenty to one hundred thirty.

66. Q. What time was it when you heard about this general assembly?

A. I do not remember the exact time that afternoon.

67. Q. Do you know the approximate time?

A. I think it was about three-thirty.

68. Q. What time was it when you saw this incident and returned?

A. I think it was about four-thirty or five.

69. Q. With what did Hama stab?

A. From what I remember, he stabbed with a bayonet.

70. Q. What did Watanabe stab with?

A. As I recall, it was a spear.

71. Q. What did Sasaki stab with?

A. I recall Sasaki as having stabbed with a bayonet.

72. Q. What did Tanaka stab with?

A. As I recall, a bayonet.

73. Q. How was Watanabe dressed that day?

A. I do not know how he was dressed.

74. Q. How about Sasaki?

A. I do not know.

75. Q. Did you know Sasaki and Watanabe well at the time of this incident?

A. As we were together at the same hospital, all the persons at the hospital must know them.

76. Q. What were Watanabe's duties at this time?

A. He was in the general affairs section. He was also the senior petty officer of the paymasters.

77. Q. What about Sasaki?

A. He was the head of the galley.

IDENTIFIED TO BE A TRUE COPY:

*James P. Henry*  
James P. Henry,  
Lieutenant, U. S. Navy,  
Judge & Notary

78. Q. Were there any spectators in front of the prisoners?  
A. Indicating with both hands. There were two prisoners, and to the left were the officers who were looking on, and in front of the prisoners were the lines of stabbers and to the right were the enlisted men who were looking on.

79. Q. From what position were you looking on this scene?  
A. I will have to draw a diagram.

The witness indicated his position on the scene as being to the right of the stabbers line facing the prisoners.

80. Q. What was the distance from where you were standing and the prisoners?  
A. I do not know the distance.

81. Q. What was the distance from yourself to where the two lines were, the approximate distance?  
A. From what I remember, it was about seven meters.

82. Q. Then, were you in the first row of spectators?  
A. Yes.

83. Q. Do you remember what kind of a person was next to you?  
A. I do not remember.

84. Q. Were there any enlisted men in the back of the two lines of stabbers?  
A. Yes.

85. Q. Did these persons also stab?  
A. As I recall, the spectators did not stab.

86. Q. Then, were the two lines in back of the stabbers spectators? I mean the men who were back of the two lines of stabbers, were they spectators?  
A. The two lines were the two lines of stabbers and the spectators were also lined up in two lines.

87. Q. The two lines of spectators who were lined up in back of the two lines of stabbers, did the persons there mainly consist of corporals or paymasters or persons in the paymaster section?  
A. From what I remember, I remember them as being from the paymaster section.

88. Q. Did the persons in this paymaster section who were not stabbers have bayonets with them?  
A. There were many among them who had bayonets, due to some sort of training.

89. Q. Then, these persons had bayonets, but they did not stab. Is this correct?  
A. According to my recollection, I remember that the persons of the paymaster section who had bayonets did not stab.

90. Q. You testified that they looked as if it was after they had been training. Is this correct?

This question was objected to by the judge advocate on the ground that it was irrelevant and immaterial.

CONFIRMED TO BE A TRUE COPY:

*James P. Kennedy*  
Lieutenant, U. S. Navy,  
Judge Advocate

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The accused replied.

The commission announced that the objection was not sustained.

A. Yes.

91. Q. You testified that after Oishi gave the order to stab, they stabbed. Where was Oishi when he gave this order?

A. From what I remember, he was standing in front of the stabbers to the left.

92. Q. Do you remember where Yoshizawa was during this stabbing?

A. As I remember, he was standing toward the left in front of the stabbers.

93. Q. Do you have any recollection in what part of the two lines Petty Officer Tanaka was?

A. In my recollection, I think he was the second person in the left line.

94. Q. The persons lined up in these two vertical lines, were they lined up in order according to rank?

A. I do not know.

95. Q. Do you have any recollection that they were not lined up according to ranks?

A. As I did not see if they were lined up in order according to rank, I do not know.

96. Q. You stated the names of persons who were in the lines. Do you know that they were in the lines?

A. I just gave the names of persons whom I have in my recollection.

97. Q. In answer to the question by the judge advocate, "How many persons were in this line?" you answered that there were twelve. In answer to the question you stated that there were five or six in each line. Then, do you mean that you remember the names of all the twelve persons? Is this correct?

A. I remember that there were five or six persons in each row, and I also remember the names of these twelve persons, that is why I said the names.

98. Q. You remember almost all the names of the persons, but you don't remember how they were lined up. Is this correct?

A. This, I do not know.

99. Q. You stated that you were a petty officer second class, Imperial Japanese Navy. Have you never been demobilized?

A. Do you mean returned to Japan? I do not know when you say "demobilized."

100. Q. On direct examination you were asked, "What is your name and rank?" and you answered, "Petty Officer Second Class, Imperial Japanese Navy." Have you ever been demobilized? Are you still in the Imperial Japanese Navy as a petty officer second class?

A. As I have not yet been demobilized, I believe so.

101. Q. Why have you never been demobilized?

This line of questioning was objected to by the judge advocate on the ground that it was irrelevant and immaterial.

CERTIFIED TO BE A TRUE COPY:

*Walter P. Kenny*  
Judge Advocate,  
U. S. Navy,  
Judge Advocate.

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The accused replied.

The commission announced that the objection was sustained.

102. Q. You stated that you were attached to the Truk Hospital from the twenty-fourth of December, 1943, till the present time. Where are you living now?

A. I am at the War Crimes Stockade as a witness.

103. Q. When did you leave Truk?

A. In November of 1946. I forget the date.

104. Q. Did you hear the speech by Captain Iwanami on the hill that day?

A. Yes.

105. Q. What did he say?

A. I remember that he said that "I am going to test your spirit. All of you stab spiritedly."

106. Q. Did he order the persons to stab?

A. I do not know.

107. Q. You testified you left immediately after the stabbing. Were you ordered to leave or were you dismissed from the general assembly?

A. I do not remember any order, but as it was over, I left.

108. Q. Were you the only one that left?

A. There were many persons who left.

109. Q. Did you leave before the prisoners were cut with swords?

A. After they were cut with swords.

110. Q. Did you leave before the prisoners were buried?

A. Yes.

111. Q. Did you see Lieutenant Oishi cut?

A. I remember, yes.

112. Q. Which prisoner did he cut?

A. I cannot explain which one it was.

113. Q. Did you see Yoshizawa cut?

A. Yes, I remember.

114. Q. Which person did he cut?

A. This also, I do not know.

115. Q. Did Yoshizawa cut before Lieutenant Oishi cut?

A. As I recall, Oishi cut first.

116. Q. Did you both cut the same prisoner?

A. I do not know.

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CONFIRMED TO BE A TRUE COPY:

*James P. Reavy*  
James P. Reavy,  
Lieutenant, U. S. Navy,  
Judge & Notary.

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117. Q. Was Watanabe standing behind Honna in the line of stabbers?

A. That is how I remember it.

118. Q. Was Honna a warrant officer?

A. He was a chief petty officer.

119. Q. Was he the first in his line to stab?

A. That is how I remember it.

120. Q. Was Watanabe a warrant officer?

A. He was a chief petty officer.

121. Q. Was Sawada in the same line as Honna?

A. According to what I remember, he was in the opposite line.

122. Q. Was Tanaka in the same line as Honna?

A. I do not know.

123. Q. What happened to the prisoner when Honna stabbed him?

A. From what I saw, blood spurted from the prisoner.

124. Q. Did the prisoners remain standing?

A. Yes.

125. Q. Where was the prisoner stabbed by Honna?

A. From what I remember, he stabbed to one side of the body. I do not remember which side it was.

126. Q. How many times did Honna stab the prisoner?

A. From what I recall, it was once.

127. Q. What did Honna do after he had stabbed the prisoner?

A. I do not know.

128. Q. Do you remember who stabbed the prisoner after Honna did?

A. I do not know.

129. Q. Did anyone stab the prisoner after Honna did?

A. I do not know.

130. Q. Was the prisoner dead after Honna stabbed him?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness.

The accused made no reply.

The commission announced that the objection was sustained.

The commission then, at 3:20 p. m., took a recess until 3:40 p. m., at which time it resumed.

IDENTIFIED TO BE A TRUE COPY:  
JAMES P. HENRY  
JAMES P. HENRY  
Lieutenant, U. S. Navy,  
August 4, 1945

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**Present:**

All the members,  
Lieutenant Commander Joseph A. Regan, U. S. Navy, judge advocate,  
The reporter, the accused, their counsel, and the interpreters.

No witnesses not otherwise connected with the trial were present.

Hasegawa, Hasegawa, the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

(Cross-examination continued.)

131. Q. What happened to the prisoner that Watanabe stabbed with the spear?  
A. He was still standing.

132. Q. Was he bleeding?  
A. Yes.

133. Q. Who stabbed the prisoner after Watanabe stabbed him?  
A. I do not know.

134. Q. What did Watanabe do with his spear after he finished stabbing the prisoner?  
A. I do not know.

135. Q. What kind of a spear did Watanabe stab with?  
A. It is very difficult to explain orally. It was like a pencil. I could draw a diagram.

136. Q. Was it made of bamboo?  
A. Steel.

137. Q. How long was the spear?  
A. A little more than a meter.

138. Q. What happened to the prisoner that Watanabe stabbed with a bayonet?  
A. It is as I stated before.

139. Q. How was that?  
A. Blood was flowing from the prisoner.

140. Q. Was he still standing when Senda finished stabbing him?  
A. As the prisoner was tied to the tree, he was still standing.

141. Q. How many times did Senda stab him?  
A. From what I recall, only once.

142. Q. What did Senda do with his bayonet after he finished stabbing him?  
A. I do not know.

143. Q. Did you see him wash his bayonet off?  
A. I do not know.

CERTIFIED TO BE A TRUE COPY:

*Joseph A. Regan*  
Judge Advocate  
U. S. Navy  
Judge A-700488

144. Q. Was there blood on his bayonet after he finished stabbing the prisoner?

A. I did not notice.

145. Q. Was there blood on Hama's bayonet after he finished stabbing the prisoner?

A. As he was the first one to stab, and the blood was coming from the wound, I believe there was blood on his bayonet.

146. Q. Did you see blood on his bayonet?

A. I do not know. I did not see.

147. Q. How far from Hama were you standing when he stabbed the prisoner?

A. The distance is as I stated before. It was about seven meters and as I stated before, it was very little difference.

148. Q. Did you actually see Hama stab the prisoner, or did you just hear that he stabbed the prisoner?

A. I saw him stab.

149. Q. But you didn't see any blood on his bayonet after he finished stabbing?

A. I did not notice whether there was blood on his bayonet or not.

150. Q. Did you see any blood on the spear that Watanabe stabbed his prisoner with?

A. As I stated before, I did not pay any attention to the bayonet and the spears.

151. Q. Did you see blood on the prisoner after Watanabe stabbed him?

A. As the prisoners were wearing clothing, there was blood on the clothing.

152. Q. What kind of clothing were the prisoners wearing?

A. From what I remember, I remember the prisoners wearing a sort of a field gray uniform.

153. Q. Were the prisoners wearing a Japanese uniform?

A. What I remember, I believe, is an American uniform.

154. Q. And the color was field gray?

A. It was a sort of a bluish khaki color.

155. Q. Did you see any blood on the bayonet after Tanaka finished stabbing his prisoner?

A. I did not even notice the blood on the bayonet when Hama stabbed, so I do not know about the others.

156. Q. Did you see the prisoner as Tanaka stabbed him?

A. I was looking toward the prisoners.

157. Q. Did you actually see Tanaka stab with the bayonet?

A. Yes, I remember this.

CERTIFIED TO BE A TRUE COPY:

*James L. Henry*  
James L. Henry,  
Lieutenant, U. S. Navy,  
Suzon 4-700406

# 260

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158. Q. How many times did he stab?

A. According to my recollection, it was once.

159. Q. Did blood flow from the prisoner after he had stabbed him?

A. By this time, blood was already flowing from the prisoner, and I could not say blood was flowing from the prisoner or not.

160. Q. You did not see any blood on Tanaka's bayonet?

A. No matter how many times you ask me, I do not remember about the bayonet.

161. Q. Did you see Tanaka wash his bayonet after he finished stabbing?

A. I do not know.

162. Q. Since you did not see the bayonet, isn't it possible that Tanaka only stabbed the clothes of the prisoner and not the prisoner himself?

A. I saw him run and stab, and according to my recollection, he stabbed the prisoner.

163. Q. Did you talk to any spectators while this stabbing was going on?

A. No.

164. Q. You testified that Captain Inasaki told you not to speak of this incident. Was this the only time that you discussed this incident with anyone else on Truk?

A. This was the only time I heard this.

165. Q. Did Captain Inasaki tell you why he did not want you to discuss this incident?

A. I think it was because his conscience hurt him.

166. Q. Is that what he said?

A. What I recall is that he had stabbed a person he should not have stabbed, so he said to keep quiet about it.

167. Q. Did you have a spear or bayonet there on the hill that afternoon?

A. I did not have anything.

168. Q. Were you assigned any duties on the hill that afternoon or were you only a spectator?

A. I was not given duties.

Neither the judge advocate nor the accused desired further to examine this witness.

The commission did not desire to examine this witness.

The witness said that he had nothing further to state.

The witness was duly warned and withdrew.

A witness for the prosecution entered and was duly sworn.

Examined by the judge advocate.

DEEMED TO BE A TRUE COPY:

*James P. Henry*  
Lieut. Comdr., U.S. Navy,  
Judge Advocate.

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1. Q. State your name and former rank.

A. Naguchi, Masaji, former corpsman petty officer first class.

2. Q. If you recognize any of the accused, state their <sup>names</sup> names and ranks.

The witness identified all the accused by name.

3. Q. Did you ever serve at Truk?

A. Yes.

4. Q. Where at Truk did you serve?

A. The Fourth Naval Hospital.

5. Q. Between what dates did you serve at that hospital?

A. From the fifteenth of December, 1942, until the nineteenth of December, 1945.

6. Q. What was your rate in July of 1944?

A. I was a leading corpsman.

7. Q. Did you ever see any prisoners of war at the hospital?

A. Yes.

8. Q. When was this?

A. It was one day in July, 1944.

9. Q. Where did you see them?

A. On the hill back of the officers' quarters at the hospital.

10. Q. How did you happen to go up on that hill?

A. It was in the afternoon of the day in July, about two-thirty, when a general assembly was called. I assembled in front of the administration building and the senior person there led us up the hill.

11. Q. Who was the senior person there?

A. I do not remember.

12. Q. How many people assembled with you in front of the administration building?

A. I think there were about forty persons.

13. Q. After you were led up to the top of the hill, what did you see?

A. I saw about twenty enlisted men and Lieutenant Oishi and the adjutant, Kamikawa.

14. Q. Where were they?

A. There were two prisoners standing on the grass at the hill, and they were in that vicinity.

15. Q. What happened then?

A. All kinds of preparations were being made and about the time that the preparations were over, Lieutenant Commander Kamikawa went down the hill. Shortly, the head of the hospital came up the hill.

IDENTIFIED TO BE A TRUE COPY:

*James P. Henry*  
James P. Henry  
Lieutenant, U. S. Navy  
Judge Advocate

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16. Q. When you say, "All kinds of preparations were being made," tell us what you mean.

A. Steel spears, and a pole was tied to a tree.

17. Q. At the time these preparations were being made, who was the senior officer present there on that hill?

A. It was the adjutant, Kamikawa.

18. Q. Who gave the orders for these preparations?

A. I do not know about how orders were relayed or how the orders were put, but Lieutenant Oishi and Kamikawa were giving the orders.

19. Q. How long a period of time expired between the time that Kamikawa left the hill and returned with the head of the hospital?

A. I do not have a very good sense of time, but I think it was about ten to fifteen minutes.

20. Q. When the head of the hospital, Iwanami, returned, what happened then?

A. After the head of the hospital arrived at the scene, he had two or three enlisted men tie the prisoners.

21. Q. Who were the enlisted men that tied the prisoners?

A. I do not know the persons who tied the prisoners, but in that vicinity were Warrant Officer Nomma and Ensign Yoshizawa.

The accused moved to strike the words "but in that vicinity were Warrant Officer Nomma and Ensign Yoshizawa" out of the answer on the ground that they were not responsive.

The judge advocate concurred.

The commission directed that the words be stricken out.

22. Q. Is this statement in your own handwriting?

A. Yes.

23. Q. I direct you to look at a certain portion of this statement, and I ask you if it refreshes your recollection.

This question was objected to by the accused on the ground that the witness had not asked that his recollection be refreshed.

The judge advocate replied:

The commission announced that the objection was not sustained.

A. Yes.

24. Q. Again I ask you, who were the enlisted men who tied the prisoners?

A. I think Nomma and Yoshizawa tied the prisoners, and in that vicinity were Lieutenant Oishi and the adjutant, Kamikawa.

CERTIFIED TO BE A TRUE COPY:

*John P. Henry*  
Judge Advocate  
U. S. Navy  
JUL 30 4 70 5 00

25. Q. After the prisoners were tied up, what happened then?

A. Lieutenant Oishi assembled the enlisted men and reported this to the adjutant. The adjutant reported this to the head of the hospital. Then the head of the hospital made a speech. His speech was about the fall of Saipan, the daylight bombings of the hospital. After the speech, the head of the hospital gave orders to Lieutenant Oishi. I do not know the exact words, but it was to the meaning, "Begin to execute!"

26. Q. And did Lieutenant Oishi give any orders?

This question was objected to by the accused on the ground that it was leading.

The judge advocate replied.

The commission announced that the objection was not sustained.

A. Yes.

27. Q. To whom did he give these orders?

A. The head of the hospital ordered Oishi and Oishi ordered the petty officers who were lined up in front of the prisoners to stab.

28. Q. These petty officers that were lined up in front of the prisoners, describe how they were standing.

A. The petty officers were ordered by Lieutenant Oishi to come forward and for a short time there was a hesitation and no one came forward, and during this period, when I saw Oishi, he looked as if he was thinking very hard, and I remember the head of the hospital saying forcefully to begin the execution. Then Lieutenant Oishi had all the petty officers form a certain point forward up to a certain point come forward, and the petty officers were brought forward, lined up, as I remember, according to rank in front of the prisoners.

29. Q. How many rows were there?

A. There were rows of spectators to the left and the front of the prisoners and to the right of the prisoners. The officers were lined up to the left.

30. Q. Were any of these rows armed?

A. The rows facing the prisoners were armed.

31. Q. What were they armed with?

A. They had bayonets.

32. Q. Now tell us the names of the petty officers who were standing in those two lines facing the prisoners.

A. Petty Officer Hama (at this time a chief petty officer), Tanaka, Maki, Kawahara, I remember these four distinctly. Tanaka, Takachi, Watanabe, Sawa, Akahori, Totsuki, Mitsuhashi. The persons I have just named, I remember these persons were lined up.

33. Q. Other than the men whose names you have just mentioned, are there any other men in court who were in those two lines?

A. I do not remember.

IDENTIFIED TO BE A TRUE COPY:

*James P. Keating*  
Lieutenant, U. S. Navy,  
Judge Advocate

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34. Q. Where was Kuma standing?

A. He was the first person in the left row.

35. Q. Who was the first person in the right row?

A. It was Kamahira.

36. Q. What were the orders that Oishi gave these men?

A. I remember the order being to stab.

37. Q. What happened then?

A. Each person was given a bayonet or a spear, and they lined up in front of the prisoners as I stated. The head of the hospital saw this and it looked as if he ordered Lieutenant Oishi to have them alternate. Lieutenant Oishi alternated them: bayonet, spear, bayonet, spear.

38. Q. After Lieutenant Oishi got them alternated, what happened then?

A. Lieutenant Oishi gave orders to two persons at a time to stab, and stabbing continued.

39. Q. After the stabbing had ended, what happened?

A. Yoshinawa and Asamura, called by the head of the hospital, came to the front of the prisoners.

40. Q. What happened then?

A. With swords they cut at the heads of the two prisoners.

41. Q. How many times did Yoshinawa cut at the neck of a prisoner?

A. The times I remember is once.

42. Q. How many times did Asamura cut at the head of a prisoner?

A. As I remember, once.

43. Q. What was Asamura's rank at this time?

A. He was an ensign in the navy.

44. Q. How many men did you yourself see actually stab the prisoners?

A. I saw four.

45. Q. What four were they?

A. On the right, Kamahira had a spear; the first person on the left, Kuma, had a bayonet.

46. Q. Who were the others?

A. Tanabe and Sakai. Tanabe was the second person in the left row, and as I recall, he had a spear.

47. Q. Where was Sakai?

A. He was the second person in the right row, and as I recall, he had a spear.

48. Q. Who was the third person in the left row?

A. I do not remember his name.

49. Q. Who was the third person in the right row?

A. I do not remember.

IDENTIFIED TO BE A TRUE COPY:

*James P. Farley*  
James P. Farley,  
Lieutenant, U. S. Navy,  
Saginaw, Michigan.

50. Q. Now, you have mentioned the names of eleven petty officers as having been present in those two lines of stabbers. How many other men were in those two lines?

A. From what I remember, I remember there were about fourteen or fifteen in the rows.

51. Q. What were the names of the others that you haven't told us?

A. I do not remember.

52. Q. After the stabbing had finished, and after Yoshizawa and Asamura used their swords on the prisoners, what happened then?

A. The prisoners were buried and the order to fall out was given, and I returned.

53. Q. Who gave the order to fall out?

A. I do not know who it was, but it was this order.

54. Q. Where were the prisoners buried?

A. There was a hole about four meters to the rear where the prisoners were tied, and they were buried there.

The witness was duly warned.

The commission then, at 4:31 p. m., adjourned until 9 a. m., tomorrow, Wednesday, July 9, 1947.

OFFERED TO BE A TRUE COPY:

*James P. Kenny*  
Lieutenant, U. S. Navy,  
Judge Advocate

266

0892

THIRTEENTH DAY

United States Pacific Fleet,  
Commander Marianas,  
Guam, Marianas Islands,  
Wednesday, July 9, 1947.

The commission met at 9 a.m.

**Present:**

Rear Admiral Arthur G. Robinson, U. S. Navy,  
Lieutenant Colonel Henry E. Hesse, Coast Artillery Corps, United States  
Army,  
Lieutenant Colonel Victor J. Cartarino, Coast Artillery Corps, United  
States Army,  
Lieutenant Colonel William E. Lamm, junior, U. S. Marine Corps,  
Lieutenant Commander Bradford V. Lee, junior, U. S. Naval Reserve,  
members, and  
Lieutenant Commander Joseph A. Ryan, U. S. Navy, and  
Lieutenant James P. Kenny, U. S. Navy, judge advocates,  
Robert R. Miller, yeoman first class, U. S. Navy, reporter.  
The accused, their counsel, and the interpreters.

The record of proceedings of the thirteenth day of the trial was read  
and approved.

No witnesses not otherwise connected with the trial were present.

Kiyoshi, Masaji, the witness under examination when the adjournment was  
taken, entered. He was warned that the oath previously taken was still  
binding, and continued his testimony.

**Cross-examined by the accused:**

55. Q. You testified that when you saw twenty enlisted men and Lieutenant  
Oishi and Lieutenant Hamikawa and the two prisoners all kinds of  
preparations were being made and by this you meant steel spurs and a pole  
was tied to the trees. Will you describe these steel spurs?

A. The length was about my height and its diameter was about the size of my  
little finger.

56. Q. How many steel spurs were there?

A. A little more than ten.

57. Q. Who was preparing them?

A. This I do not remember.

58. Q. Where were the steel spurs when you saw them?

A. They were about fourteen meters away in front of the prisoners.

59. Q. Was anyone in custody of these spurs?

A. No.

CERTIFIED TO BE A TRUE COPY:

*James P. Kenny*  
Lieutenant, U. S. Navy,  
No. 20 2-700100

267

0893

60. Q. Then nothing was actually being done with the steel spurs?  
A. When they were left there nothing was being done with the spurs.

61. Q. Who was tying the poles to the trees?  
A. Several enlisted men, I do not know their names.

62. Q. After the judge advocate had asked you to refresh your recollection you stated that you thought that Captain Inness had two enlisted men tie the prisoners to the trees and those two enlisted men were Hama and Yoshizawa. Do you remember how Hama and Yoshizawa were dressed that day?  
A. Yoshizawa did not have any clothes on except a "G" string, he was wearing straw sandals and he had a navy sun helmet on his head, as for Hama I think he was dressed in the usual work uniform we wore.

63. Q. Did Yoshizawa have a sword?  
A. As I recall at this time he did not have a sword.

64. Q. Did he have a rifle and bayonet?  
A. No.

65. Q. Did Hama have a sword?  
A. As I recall, no.

66. Q. Did he have a rifle and bayonet at this time?  
A. In this Hama?

67. Q. Yes.  
A. No.

68. Q. Did either Hama or Yoshizawa lead your group up the hill that afternoon?  
A. We were not led up by either Hama or Yoshizawa.

69. Q. Did Yoshizawa tie one prisoner and Hama tie the other prisoner?  
A. No, I thought they tied the prisoners so I replied like I did yesterday.

70. Q. Then you did not actually see them tie the prisoners?  
A. I did, but I can not say exactly who tied the prisoners.

71. Q. Were the prisoners blindfolded?  
A. As I recall at this time they were blindfolded.

72. Q. Were the prisoner's hands tied behind their backs before Yoshizawa and Hama started to tie them?  
A. By the time we arrived at the hill the prisoner's hands were already tied behind their backs.

73. Q. How then did Yoshizawa and Hama tie the prisoners?  
A. They tied the prisoners to a pole which had been tied between two coconut trees and they tied them to this pole with their hands behind their backs.

REPRODUCED FROM A TRUX COPY:

*James P. Henry*  
C. W. Henry  
1400 1/2 St. S.W.,  
Seattle, Wash.

268

0894

74. Q. The prisoners were standing up?

A. Yes.

75. Q. What was Hamikawa's rank on that day in July?

A. As I recall he was a lieutenant.

76. Q. What was Oishi's rank?

A. As I recall he was a lieutenant (junior grade.)

77. Q. You testified that you saw Hamikawa go down the hill. Do you remember what time that was that you saw him go down the hill?

A. I did not have any sense of time at this time.

78. Q. Had all the persons assembled at this time when Hamikawa went down the hill?

A. Yes.

79. Q. Did you see Captain Iwanami arrive?

A. Yes.

80. Q. Did he come alone?

A. I do not remember exactly if he came by himself or with someone else but I remember distinctly that I saw him come.

81. Q. Going back to the two prisoners, what orders did you hear Oishi give?

A. Do you mean from the head of the hospital?

82. Q. No, you testified that these twenty enlisted men were there and Hamikawa and Oishi and they were making preparations. At that time did you hear Oishi give any orders?

A. I do not know.

83. Q. Did you hear Hamikawa give any orders at that time?

A. This I also do not know distinctly.

84. Q. When you saw Hamikawa going down the hill had Iwanami already arrived on the hill?

A. No.

85. Q. Did you ever see Hamikawa on the hill that afternoon after he left?

A. Yes.

86. Q. Did he come back on the hill after Iwanami left?

A. As I recall he came back a little before Iwanami.

87. Q. You stated that Iwanami had two or three enlisted men tie the prisoners. Was Hamikawa there at this time?

A. He was in that vicinity.

88. Q. Then, the prisoners were then not tied until Iwanami arrived so that nothing was done with the prisoners until Iwanami arrived. Is that true?

A. Nothing was done until Iwanami arrived.

OFFERED TO BE A TRULY COPY:

*John P. Kelly*  
John P. Kelly  
Lieutenant, U. S. Navy,  
Surgeon's Mate

269

0895



89. Q. How many men did Oishi assemble?

A. Do you mean when they stabbed?

90. Q. No, before that time.

A. Do you mean the enlisted men who tied the prisoners?

91. Q. Yes.

A. At this time I do not know if Oishi gave the orders or not but five or six enlisted men came out and tied the prisoners.

92. Q. Later on you said Oishi assembled the enlisted men. How many did he assemble?

A. Is this after they were tied?

93. Q. Yes.

A. He had all the enlisted men who were on the scene assemble.

94. Q. How many was that?

A. I remember there being sixty to seventy persons.

95. Q. Was Iwihara there at that time?

A. Yes.

96. Q. Did Oishi assemble these sixty or seventy men himself?

A. Yes.

97. Q. Was Oishi the officer-of-the-day that day?

A. I do not remember if he was the officer-of-the-day or not.

98. Q. How did Oishi report these men after he had assembled them?

A. As I recall he reported to the adjutant saying, "Everything is all right."

99. Q. What did the adjutant say when Oishi reported this to him?

A. As I recall he just saluted. I do not know if he said anything. I could not hear.

100. Q. You testified that the adjutant reported to Captain Iwazumi. What did he say when he reported to Iwazumi?

A. As I recall he just stated, "Everything is all right."

101. Q. What did Iwazumi say when the adjutant reported this to him?

A. As I remember he just saluted.

102. Q. You testified that Iwazumi made a speech. Did he say the prisoners were to be punished for bombing the Truk hospital in daylight?

A. I do not remember that exactly but in his speech he spoke about the fall of Saipan and the unlawful daylight bombings of the hospital.

103. Q. Did he say they were to be executed for doing this?

A. Yes.

104. Q. Did he say that they had been given a trial?

A. This I do not remember.

EX-107  
CERTIFIED TO BE A TRUE COPY:

*James P. Kenny*  
Lieutenant, U.S. Navy  
Bufile 44700406

270

0896

105. Q. You testified that Iwanami gave orders to Oishi. What happened to Hamikawa at this time?

A. I think he was just standing there.

106. Q. But you did see Hamikawa at the time that Iwanami gave orders directly to Oishi. Is that correct?

A. Yes.

107. Q. What did Iwanami say to Oishi when he gave these orders to him?

A. Do you mean the reply of Oishi?

108. Q. No, the orders of Iwanami.

A. I forget the orders but its contents were that they were to be executed on the basis of what was said in Iwanami's speech.

109. Q. Did Oishi make any reply?

A. I do not remember.

110. Q. What orders did Oishi give to the petty officers who were lined up in front of the prisoners just prior to the time they hesitated?

A. As I remember I think he said that according to the speech of the head of the hospital, the prisoners will be executed and told the petty officers to step forward.

111. Q. When you say the petty officers hesitated do you mean that they looked like they were not going to obey the orders?

A. According to what I saw for a short time there was confusion.

112. Q. What did you mean when you said Iwanami said forcefully, "begin the execution"?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness.

The accused withdrew the question.

113. Q. What do you mean by the word "forcefully" in your testimony that Iwanami said forcefully, "begin the execution"?

A. Do you mean the head of the hospital?

114. Q. Yes.

A. As I recall I think he said that there may be an air raid soon so do it quickly.

115. Q. How many petty officers did Oishi have come forward at this time?

A. As I recall it was about fourteen to fifteen.

116. Q. How many were left and did not have to come forward?

A. I think there were about fifty to sixty persons.

117. Q. Can you name any of these fifty or sixty persons?

A. I do not remember.

IDENTIFIED TO BE A TRUE COPY:

*James P. Kenny*  
James P. Kenny  
Lieutenant, U. S. Navy  
Judge Advocate.

271

0897

118. Q. Why do you say that the petty officers that came forward lined up according to rank?

A. Because it was usual that petty officers and men of the hospital lined up according to rank.

119. Q. Was Hama the senior petty officer at the hospital?

A. At this time he was the next ranking petty officer.

120. Q. Who was the senior petty officer?

A. He was Yoshizawa.

121. Q. Was Yoshizawa lined up with these other petty officers?

A. He was standing outside the ranks.

122. Q. Didn't you see the paymaster division lined up separately?

A. Yes.

123. Q. Then the paymaster division was not in this group that Oishi lined up?

This question was objected to by the judge advocate on the ground that it was vague.

The accused withdrew the question.

124. Q. Was the paymaster division lined up separately and in charge of a warrant paymaster?

A. Yes.

125. Q. Were all the petty officers that Oishi had come forward armed?

A. No. All of them were not armed.

126. Q. Were any of them armed when they stepped forward?

A. As I recall there were two or three who were armed. I do not know their names.

127. Q. What were these two or three armed with?

A. When I say armed I mean they were wearing working uniforms with puttees wrapped around their legs.

128. Q. Were they carrying rifles and bayonets?

A. When they were brought forward by Oishi they did not have any.

129. Q. Who gave these persons the bayonets and spears that they stabbed with?

A. The petty officers and men who were among the spectators. The spears as I recall were picked up from the place where I stated before they were placed.

130. Q. So when Hama stepped forward he did not have a bayonet or a spear?

A. I remember him as not having either one.

131. Q. When Tanabe stepped forward he did not have a spear or bayonet?

A. No.

IDENTIFIED TO BE A TRUE COPY:

*James P. Henry*  
JAMES P. HENRY  
NAVY  
30-30 4-700400

132. Q. When Nakai stepped forward he did not have a spear or bayonet?  
A. No.

133. Q. When Kawashima stepped forward he did not have a spear or bayonet?  
A. As I remember he did not have any.

134. Q. Who gave Kuma the bayonet that he stabbed with?  
A. I do not remember.

135. Q. Do you remember who gave Tanabe a spear or bayonet?  
A. I do not remember.

136. Q. Do you remember who gave Nakai a spear or bayonet?  
A. I do not remember.

137. Q. Do you remember who gave Kawashima a spear or bayonet?  
A. I do not remember.

138. Q. Now, you stated that Oishi had all the petty officers from a certain point come forward and the petty officers came forward and were lined up according to rank in front of the prisoners. What persons did you actually see brought forward?

A. Kuma, Nakai, Tanabe, Kawashima, those four I remember distinctly; Tanaka, Suzuki, Watanabe, Takahashi, Amatori, Totsui, Mitsuhashi, those I think lined up.

139. Q. You testified that they were lined up according to rank. Of these four persons that you distinctly remember what is the order of their rank?  
A. As they lined up in two rows I do not know exactly but I think they lined up according to their rank.

140. Q. Do you know what their order of rank is?  
A. Kuma is senior.

141. Q. Who is next senior to Kuma?  
A. Nakai.

142. Q. Then who is next senior?  
A. Tanabe.

143. Q. And then who is next senior?  
A. Watanabe.

144. Q. Is Watanabe one of those that you do not distinctly remember as being lined up?  
A. Yes.

145. Q. Were those senior men all in one line?  
A. From what I remember Oishi ordered them to line up in two rows with bayonets and I remember that they lined up in two rows according to rank.

146. Q. You are not sure that they lined up according to rank?  
A. I am not sure.

CONFIRMED TO BE A TRUE COPY:  
*James P. Kelly*  
JAMES P. KELLY, JR.  
Lieutenant, U.S. Navy,  
San Francisco

273

0899

147. Q. When Honna stabbed did you look at the prisoner?

A. Yes.

148. Q. Did you see the face of the prisoner?

A. Yes.

149. Q. Was he blindfolded?

A. At this time his blindfold had been taken away.

150. Q. What happened to the prisoner when Honna stabbed him?  
A. When Oishi gave the order to Honna stab he hesitated and the second time the order was given he stabbed and when he pulled the bayonet out of the prisoner a great amount of blood came from the part of the prisoner's body which I believe to be the heart.

The judge advocate moved to strike the words, "which I believe to be the heart" on the ground that it was the opinion of the witness.

The accused replied,

The commission directed that the words be stricken out.

151. Q. Did you see Honna's bayonet pierce the prisoner in the vicinity of the heart?

A. Yes.

152. Q. Did the prisoner remain standing after Honna had stabbed him?  
A. After Honna stabbed the prisoner was still standing as he was tied, his legs were a little bent and his head was bent forward. As I did not touch the prisoner nor did I take his pulse I can not say exactly that he was dead. To me it seemed as if he were dead.

The judge advocate moved to strike the words, "As I did not touch the prisoner nor did I take his pulse I can not say exactly that he was dead. To me it seemed as if he were dead," on the ground that they were not responsive and were the opinion of the witness.

The accused replied,

The commission directed that the words be stricken out.

The commission then, at 10:17 a.m., took a recess until 10:57 a.m., at which time it reconvened.

Present: All the members, the judge advocate, the reporter, the accused, their counsel, and the interpreters.

No witnesses not otherwise connected with the trial were present.

Kiyoshi, Haseji, the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

CERTIFIED TO BE A TRUE COPY

*James P. Henry*  
Judge Advocate  
La. 1st Dist. 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 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(Cross-examination continued.)

153. Q. Did the prisoner make any sound after Emma finished stabbing him?  
A. I do not remember.

154. Q. Was the prisoner tied in such a way that even if he were dead he would still remain standing?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness.

The accused replied.

The commission announced that the objection was sustained.

155. Q. Was the prisoner tied in such a way that he could not fall down but must remain standing in an upright position?  
A. Yes.

156. Q. Did you actually see Kawashima stab?  
A. Yes.

157. Q. What did he stab with?  
A. I think a spear and it did not seem to have penetrated because the spear bent.

158. Q. What happened to the prisoner that Kawashima stabbed?  
A. He also went suddenly limp.

159. Q. Did you see blood on the spear that Kawashima used?  
A. I do not remember.

160. Q. How many times did Kawashima stab?  
A. Just once.

161. Q. What did Kawashima do with the spear after he finished stabbing?  
A. I do not know where he went taking the spear with him.

162. Q. Did the prisoner make any sound after Kawashima stabbed him?  
A. I do not remember.

163. Q. Did you see blood spurt from the prisoner after Kawashima stabbed him?  
A. I could not see it.

164. Q. Did you actually see Sakai stab a prisoner?  
A. Yes.

165. Q. Did he stab the same prisoner as Emma did?  
A. No.

166. Q. What did he stab with?  
A. It was with a bayonet. If in yesterday's testimony I stated spear I would like to change it at this time.

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*John H. [Signature]*  
John H. [Signature]  
Lieutenant, U. S. Navy  
MAGO 2-700-100

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167. Q. Did he spear the same prisoner that Kawahira did?  
A. Yes.

168. Q. How many times did he spear the prisoner?  
A. Just one time.

169. Q. What did he do with the spear after he finished spearing him?  
A. It is not a spear, it is a bayonet.

170. Q. What did he do with the bayonet?  
A. Taking the bayonet with him he went to the rear.

171. Q. Did you see blood on this bayonet?  
A. I do not remember.

172. Q. Did you see blood spurt from the prisoner after Hama finished stabbing him?  
A. Yes.

173. Q. Did the prisoner slump down?  
A. Yes.

174. Q. Did he make any sound?  
A. I do not remember.

175. Q. Did he remain standing?  
A. He was not standing as a usual person would, he was limp, his legs were bent and he was sagging against the rope.

176. Q. Was he being held up by the ropes by which he was tied?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness.

The accused replied,

The commission announced that the objection was not sustained.

A. Yes.

177. Q. Who else did you actually see stab?  
A. Tanabe.

178. Q. What did Tanabe stab with?  
A. With a spear.

179. Q. Did he stab the prisoner Hama did?  
A. Yes.

180. Q. Where did he stab the prisoner?  
A. He stabbed at the stomach of the prisoner, I do not know if the spear pierced or not.

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*James E. Kaur*  
James E. Kaur,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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181. Q. How many times did he stab?

A. Once.

182. Q. Did you see blood come from the place in the stomach where Tanabe stabbed the prisoner?

A. No.

183. Q. Did you see blood on Tanabe's spear?

A. I do not remember.

184. Q. Was the prisoner still in an upright position after Tanabe finished stabbing him?

A. He was as if he were dead and limp and sagging against the rope.

The judge advocate moved to strike this answer on the ground that it was the opinion of the witness.

The accused replied.

The commission announced that the motion to strike was denied.

185. Q. Who gave the orders to fall out?

A. I do not remember who gave that order.

186. Q. Who gave the orders to bury the prisoner?

A. I do not remember.

187. Q. Do you remember who buried the prisoner?

A. I do not remember.

188. Q. You testified that about forty persons assembled in front of the administration building and then went up on the hill in back of the officers' quarters. Is this correct?

A. Yes.

189. Q. In what sort of formation were the forty persons who were assembled in front of the administration building standing?

A. Do you mean in front of the administration building?

190. Q. What sort of formation did you line up in after you arrived at the top of the hill?

A. Do you mean when we arrived there?

191. Q. Yes.

A. Shortly after we arrived on top of the hill there was an order to fall out.

192. Q. You testified that on the hill were Gishi and the adjutant and about twenty persons who were making preparations. Did they start to make preparations after you arrived?

A. As I remember the preparations were started after we arrived on the hill.

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*James Henry*  
Lieutenant, U. S. Navy,  
St. George 21705-00.

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0903



193. Q. Then do you mean that Gichi and the adjutant and two persons had come to the hill before you?

A. When we arrived at the hill they were already there.

194. Q. Were Kama and Yoshizawa on the hill already?

A. Yes.

195. Q. Then they were among the twenty petty officers and enlisted men. Is this correct?

A. Yes.

196. Q. Is it usual at the hospital when corporals were marched in ranks that a doctor would take charge of them?

A. There are cases in which the doctors would take charge and also the senior petty officer would take charge.

197. Q. After the head of the hospital arrived you said he had the officers and men lined up. In what formation did he have them line up?

A. In horizontal lines facing the prisoners.

198. Q. Did all the petty officers and men line up in lines horizontal to the prisoners?

A. Yes.

199. Q. Were there any enlisted men to the right facing the prisoners?

A. After the speech of the head of the hospital this formation was changed.

200. Q. How was it changed?

A. The officers lined up in two rows to the left facing the prisoners and the enlisted men also lined up in two rows to the right facing the prisoners and also enlisted men lined up in two rows right in front of the prisoners.

201. Q. Then while the head of the hospital was making this speech you could not tell from the formation who the stabbers were nor make any distinction between the stabbers and the spectators. Is this correct?

A. A distinction could not be made.

202. Q. When Gichi said for the petty officers to step forward was it after this latter formation was made?

A. He said this after the formation had been changed.

203. Q. Then did the petty officers step forward from the two rows directly in front of the prisoners and the two rows to the right facing the prisoners?

A. The separation of the group was made from the beginning of the two rows to the right facing the prisoners.

204. Q. Then you testified that there were two rows directly in front of the prisoners and two rows to the right facing the prisoners. Is this correct?

A. Yes.

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*James P. Kelly*  
James P. Kelly,  
Lieutenant, U. S. Navy,  
Judge Advocate General's Office,  
U. S. Navy.

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205. Q. And then the persons lined up to the right facing the prisoners, were they lined up according to rank?  
A. Generally they were lined up according to rank.

206. Q. You testified that Gishi said for the petty officers to step forward. Is this correct?  
A. Yes.

207. Q. Then is it correct that everyone hesitated, that Gishi made a division of the enlisted men lined up to the right facing the prisoners and had them step forward. Is this correct?  
A. Yes.

208. Q. When Gishi said for the petty officers to step forward did he address this to all the petty officers?  
A. That is how I heard it.

209. Q. Are you sure that Gishi gave such an order?  
A. That is how I remember it.

210. Q. Are you sure it was not the head of the hospital?  
A. I remember the head of the hospital saying to Gishi before this to have the petty officers step forward.

211. Q. Did the head of the hospital say how many petty officers should step forward?  
A. As I remember he did not designate any number.

212. Q. When Gishi made this division in this formation and had them step forward where were you?  
A. I was in the front row and the division was made from a point two or three persons in front of me.

213. Q. Were you at this time as a petty officer fairly senior in rank?  
A. At that time I was not a petty officer.

214. Q. Where was the head of this row of petty officers?  
A. Do you mean the first person in the row to the left facing the prisoners?

215. Q. Then according to your testimony all the persons lined up in a shape of a U. Is this correct?  
A. Yes.

216. Q. Then the enlisted men lined up to the right facing the prisoners and right directly in front of the prisoners. Is this correct?  
A. The enlisted men lined up to the right facing the prisoners were the enlisted carpenter and right directly in front of the prisoners forming the back of the U were the enlisted paymaster.

217. Q. I am going to ask once again, where were you lined up when this formation was taken?  
A. As I remember I was in the first row and about the third person away from where the division was made.

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*James E. Brady*  
James E. Brady,  
U.S. Navy,  
Chicago, Illinois

218. Q. Will you draw a diagram of the formation that was taken when the head of the hospital made his speech?

A. Do you want the position of the head of the hospital written in the diagram?

219. Q. I will ask you this later, just show your position and the formation at this time.

The witness drew a diagram showing the position of the formation and his own position at this time and it was submitted to the commission and the judge advocates for information.

The witness was duly warned.

The commission then, at 11:26 a.m., took a recess until 2 p.m., at which time it reconvened.

Present: All the members, the judge advocates, the accused, their counsel, and the interpreters.

Joseph Kase, junior, yeoman second class, U. S. Navy, reporter.

No witnesses not otherwise connected with the trial were present.

Hayashi, Masaji, the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

(Cross-examination continued.)

220. Q. According to the diagram you drew this morning, during the speech of the head of the hospital the officers lined up to the left facing the prisoners and the enlisted men were in two groups of rows, the first front two rows being that of the enlisted corporals, the back two rows being that of the paymaster enlisted men. Is this correct?

A. That is how I remember it.

221. Q. When the head of the hospital arrived at the top of the hill, was this formation already formed?

A. As I remember, they were not formed.

222. Q. Was this formation formed after the prisoners were tied to the trees?

A. I remember it as the formation being formed after the prisoners were tied to the trees.

223. Q. When you came up to the hill in this group of forty persons, were there persons from the paymasters among you?

A. No.

224. Q. Do you remember when the persons in the paymasters arrived?

A. I remember after we had arrived at the top of the hill and the order to fall out had been given, the persons of the paymasters came marching up the hill.

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*[Signature]*  
Lieutenant, U. S. Navy,  
Judge Advocate

225. Q. Do you remember who was in charge of these paymasters?

A. As I recall, it was Warrant Officer Ota.

226. Q. Do you remember if the persons in the paymasters had rifles?

A. As I remember, there were some who had rifles and some who did not.

227. Q. How many persons were in this group that came marching up the hill?

A. I think it was about twenty.

228. Q. According to the diagram you drew, after the speech of the head of the hospital the officers stayed in their former positions and also the paymasters and that enlisted men moved to the right facing the prisoners. Is this correct?

A. That is how I remember it.

229. Q. You state that the corporals petty officers and men lined up according to rank. Was the person senior in rank lined up nearest the prisoners?

A. Yes.

230. Q. How were the petty officers and men in the paymasters lined up?

A. I think they were lined up according to rank.

231. Q. On which side of the rows of paymasters were the senior petty officers of the paymasters division lined up?

This line of questioning was objected to by the judge advocate on the ground that it was irrelevant.

The accused replied,

The commission announced that the objection was sustained.

232. Q. After this formation was formed, were there any petty officers or sergeants who later entered this formation?

A. I do not remember.

233. Q. Do you know where Warrant Officer Ota, who was in charge of the paymaster petty officers, was in this formation which was formed after the speech of the head of the hospital?

A. As I recall, his petty officers were to the left facing the prisoners and facing toward the enlisted corporals.

234. Q. You testified that Lieutenant Gishi made a division in the ranks of the enlisted corporals and told them to come forward. Did he also do this with the enlisted men of the paymasters?

A. I remember his doing this with the enlisted men of the corporals, but I do not remember him doing this with the paymasters.

235. Q. Then, do you have any recollection of any paymaster petty officer or sergeant stepping forward?

A. As I recall, some petty officers stepped forward.

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James P. Kenny  
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Juigo A. Robles

236. Q. Did they step forward when the head of the hospital told them to step forward?

A. I do not know.

237. Q. Until this formation was formed, no one knew that the prisoners were to be attacked. Is this correct?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness.

The accused withdrew the question.

238. Q. Do you remember where Oishi was standing when he gave the order to stab?

A. As I remember, he was standing to the front of the stabbers and between the prisoners and to the right facing the prisoners.

239. Q. Wasn't it to the left?

A. No, it was to the right.

240. Q. You testified that when Asamura and Yoshizawa cut at the necks of the prisoners that you saw them. Where were you when you saw this?

A. I was at my former position.

241. Q. Were the heads of the prisoners bowed forward or were they upright at this time?

A. Their heads were bowed.

242. Q. Did you see the wound when Asamura cut?

A. I could not see well.

243. Q. Do you remember if there was blood?

A. I do not remember.

244. Q. Did you see the wound when Yoshizawa cut?

A. I could not see.

245. Q. Did you see any blood?

A. I do not remember.

246. Q. When the prisoners were being cut with the sword, did the persons at the scene of the execution retain their former formation?

A. As I recall, they were in their former position.

247. Q. Do you remember if the head of the hospital was still present at this time?

A. Yes, he was there.

248. Q. Referring you to the time you testified about Yoshizawa and Hama tying the prisoners, you testified that two or three enlisted men tied the prisoners when the head of the hospital appeared. Do you have any recollection that three persons tied the prisoners?

A. I stated this because I saw two or three enlisted men tying the prisoner with Hama and Yoshizawa assisting.

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*James P. Henry*  
James P. Henry,  
Lieutenant, U.S. Navy,  
Judge Advocate

249. Q. You testified just now that Hanna and Yoshinawa assisted. How did they assist?

A. As I recall, I remember him assisting by saying that, "This is how they should be tied" or "They should be tied this way."

250. Q. You testified that you assembled in front of the administration building about two o'clock in the afternoon of that day because of a general assembly order. How did you hear about this general assembly order?

A. The seaman on duty at the hospital would call out this order for general assembly by direction of a superior officer and the young seaman of each section would relay this order in his section.

251. Q. From whom did you hear about this order on this day?

A. I do not remember.

252. Q. Where did you hear this order?

A. As I was working in the pharmacist's ward, I heard it there.

253. Q. Did anyone come and tell you about this?

A. It wasn't a message. It was an oral order.

254. Q. Did you see the person who was relaying this order directly?

This line of questioning was objected to by the judge advocate on the ground that it was immaterial.

The accused replied,

The commission announced that the objection was sustained.

255. Q. When you went to the front of the administration building, was the person in charge already there?

A. As I remember, no.

256. Q. Did the person who took charge come later?

A. When you say person in charge, do you mean a person who was with the rank of above a warrant officer?

257. Q. If it was a general assembly, I believe somebody would take charge and lead you up the hill. Isn't this how it was?

A. As I remember the order that day was, "Potty officers, seamen, and gunnery assembly in front of the administration building." Usually when a general assembly is called at the hospital, officers, petty officers and seamen would assemble.

258. Q. What I am asking is, who was in charge when you assembled at the front of the administration building?

A. I do not know.

259. Q. Do you mean that you forgot his name or that there was no one there?

A. There was no one in front of the administration building who took charge.

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John P. Henry  
Lieutenant, U.S. Navy  
Judge Advocate

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260. Q. Then, when you climbed the hill, you climbed the hill on your own. Is this correct?

A. The senior person among the persons who assembled took charge and led us up the hill.

261. Q. Who was this person?

A. I forgot.

262. Q. After you heard this order for general assembly, how long did it take you to get to the front of the administration building?

A. As I remember, it was two or three minutes after I had heard the order.

263. Q. According to the other witnesses, it is stated that fourteen or fifteen persons assembled in front of the administration building and went up the hill. Was this group with which you went up the hill this same group?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness.

The accused replied,

The commission announced that the objection was sustained.

264. Q. When you assembled in front of the administration building, did you see any other group of fourteen or fifteen who were assembled there?

A. I have no recollection.

265. Q. Was there anyone by the name of Takahashi and Masayoshi in your group?

A. I do not remember.

266. Q. Are you sure when you testified that Oishi assembled the petty officers and reported to the adjutant and the adjutant reported this to the head of the hospital?

A. That is how I remember it.

267. Q. What were the positions of Oishi, Kamihara and Iwanami at this time?

A. Oishi was standing toward the head of the lines with the petty officers. He had assembled, Kamihara was standing toward the head of the line of the officers, and the head of the hospital was standing five to six meters to the front and in the middle of the assembled petty officers.

268. Q. How much distance separated each person?

A. The distance between what persons?

269. Q. Between the three persons.

A. As I recall, this approximate distance, Oishi and the head of the hospital, four to five meters; the head of the hospital to the adjutant, four to five meters.

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*James P. Kenny*  
James P. Kenny,  
Lieutenant, United States Navy,  
Judge Advocate General's Corps

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270. Q. Could you hear what these three persons said at this time?  
A. I could not hear distinctly.

271. Q. Then, you have no recollection of what Oishi said to the adjutant and the adjutant said to the head of the hospital. Is this correct?  
A. I have a recollection that he said, "Everything is all right."

272. Q. That is what you think he said, but you do not remember definitely. Is this correct?  
A. I did not hear distinctly.

273. Q. You testified that the enlisted men and the paymasters led by Warrant Officer Ota came up the hill. Did you know that this day the paymasters had been training?  
A. I heard after the incident was over that the paymasters had been doing basic training that day.

274. Q. Wasn't the time that the paymasters arrived at the scene after Oishi had the petty officers in the two lines step forward?  
A. According to my recollection, shortly after we arrived on the hill, they arrived there. This I cannot say exactly.

275. Q. Have you any recollection that the two rows of enlisted corporals all moved forward?  
A. Is this after the speech of the head of the hospital?

276. Q. Have you any recollection whether it was before the speech of the head of the hospital or after the speech of the head of the hospital that these two rows moved forward?  
A. Just before the execution, after the speech of the head of the hospital, I remember the petty officers of the enlisted corporals being made to step forward.

277. Q. Have you any recollection that paymasters lined up in the position which the rest of the enlisted corporals had occupied?  
A. I do not remember exactly.

278. Q. In answer to a question by the defense counsel, you stated you remember Oishi making divisions in the rows of enlisted corporals, but that you did not remember Oishi making divisions in the enlisted paymasters. Is this correct?  
A. According to my recollection, yes.

279. Q. Do you have any recollection that Warrant Officer Ota who was in charge of the enlisted paymasters, made a division?  
A. I have no recollection.

280. Q. Have you any recollection that Ota ordered a petty officer in the enlisted paymasters to step forward?  
A. I do not remember.

281. Q. You stated that you remembered Tanaka, Takahashi, Watanabe, Suzuki, Shobari, Totsui, and Hirauchi being in the line. Do you remember that group of them being in the line?  
A. Yes.

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*James L. Kenny*  
James L. Kenny,  
Lieutenant, U.S. Army,  
Judge Advocate.



282. Q. Do you remember Sawada and Watanabe being among the enlisted paymasters that Warrant Officer Ota led to the scene?

A. I do not remember.

283. Q. Do you have any recollection that Sawada and Watanabe stepped out from the ranks of the enlisted paymasters by themselves?

A. I have no recollection.

284. Q. Have you any recollection when Asamura cut that he made a mistake in cutting and cut the rope instead?

A. I have no such recollection.

Reexamined by the judge advocate:

285. Q. In your cross-examination you testified that at the first time you saw Yoshizawa, he did not have a sword. At any other other time did you see Yoshizawa with a sword?

A. I remember seeing him with a sword when he was called forward by the head of the hospital.

286. Q. In your cross-examination, you have frequently referred to the adjutant of the hospital. Who was the adjutant of the hospital?

A. It was Hanikawa.

287. Q. Do you know what duties an adjutant has?

This question was objected to by the accused on the ground that it called for the opinion of the witness.

The judge advocate replied,

The commission announced that the objection was not sustained.

A. I do not know.

288. Q. Do you know what rank Sawada had in July of 1944?

A. I think he was a paymaster petty officer first class.

289. Q. You testified on cross-examination at great length as to what Captain Inanami said in his speech. Did Captain Inanami say in his speech that these two prisoners were the ones who had bombed the hospital?

This question was objected to by the accused on the ground that it was leading.

The judge advocate made no reply.

The commission announced that the objection was not sustained.

A. No.

Reexamined by the accused:

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*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate

290. Q. Do you know where Yoshizawa got this sword that you testified as to having seen him with?

A. I do not remember.

Neither the judge advocate nor the accused desired further to examine this witness.

The commission did not desire to examine this witness.

The witness made the following statement:

I think the petty officers that day did not have any intent to commit this act, and in obedience to the orders in the naval service, I think that they stepped forward.

The commission directed that this statement be stricken out on the ground that it was the opinion of the witness.

The witness was duly sworn and withdrew.

A witness for the prosecution entered and was duly sworn.

Examined by the judge advocate:

1. Q. State your name and former rank.
- A. Corporal Petty Officer Second Class Masuda, Tatsuhel.
2. Q. If you recognize any of the accused, state their names and ranks.

The witness correctly identified by name all of the accused with the exception of Lieutenant Inamura.

The commission then, at 3:12 p.m., took a recess until 3:35 p.m., at which time it reconvened.

Present: All the members, the judge advocate, the reporter, the accused, their counsel, and the interpreters.

No witnesses not otherwise connected with the trial were present.

Masuda, Tatsuhel, the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

(Examination continued.)

3. Q. Were you ever stationed on Truk?
- A. Yes.
4. Q. Where at Truk were you stationed?
- A. The Fourth Naval Hospital.
5. Q. Between what dates did you serve there?
- A. I came to Truk on 24 December 1943. I immediately became attached to the first surgical ward at the hospital. On the third of February, 1944, I was transferred to the operating room. I was at the hospital until January of 1945.

CERTIFIED TO BE A TRUE COPY:

*James P. Long*  
James P. Long,  
Lieutenant, U. S. Navy,  
Judge Advocate.

6. Q. Were you at the Fourth Naval Hospital on Dublin until January of 1946?  
A. Yes. Up until about July of 1945, I was attached to the main hospital on Dublin. From about July of 1944, I was transferred to the branch hospital on Heen, until the tenth of December of 1945, when I came back to the main hospital.

7. Q. Did you see any prisoners of war at the Fourth Naval Hospital?  
A. Yes.

8. Q. When was this?  
A. It was around July of 1944.

9. Q. And where was this?  
A. On the hill back of the hospital.

10. Q. How did you happen to go up on the hill?  
A. I was attached to the operating room and when I was there that day, I heard about a general assembly. Together with four or five persons I went up to the hill in back of the hospital and there I saw two prisoners with their hands tied behind their backs. I forget when I heard about this general assembly.

11. Q. When you heard this word about the general assembly, did you also hear where the general assembly was to be held?  
A. I do not remember.

12. Q. Well, why did you go to the hill in back of the hospital?  
A. I forget the name, but I heard from someone that there was a general assembly on the hill in back of the hospital, so I went up there together with four or five other persons.

13. Q. After you got to the top of the hill, what did you see?  
A. I saw two prisoners and two rows of armed men.

14. Q. What did you see the two rows of armed men do?  
A. They were in a position to stab the two prisoners.

15. Q. Did they stab the two prisoners?

This question was objected to by the accused on the ground that it was leading.

The judge advocate made no reply.

The commission announced that the objection was sustained.

16. Q. After you had seen the two lines of armed men and the two prisoners, what did you see then?  
A. What do you mean, "what did you see then?"

17. Q. What happened then?  
A. The left line had spears and the right line had bayonets.

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*James A. Kenny*  
Judge Advocate,  
U. S. Navy,  
Judge Advocate.

18. Q. What did they do with the spears and with the bayonets?  
A. I did not see any of them stab. I could not see, and I went to the rear of the spectators. I saw Hama at the head of the left line, and between the prisoners and Hama I saw Yoshizawa. He had a sword in his hand.

19. Q. If you saw Hama at the head of the left line, whom did you see at the head of the other line?

This question was objected to by the accused on the ground that it was leading.

The judge advocate made no reply.

The commission announced that the objection was not sustained.

A. I do not remember.

20. Q. Look out here over these accused and tell us whether you can pick out any man in this court room who was at the head of that right line.

This question was objected to by the accused on the ground that the witness has already testified that he did not remember who was at the head of the right line.

The judge advocate replied.

The commission announced that the objection was not sustained.

A. I do not remember who it was.

21. Q. How many men were crissed on that hill?

A. They were in two rows, and I think there were about ten to twelve persons.

22. Q. Can you tell us the names of those ten to twelve persons?

A. I do not remember their names.

23. Q. Look out at these accused and see if you can pick out the faces of any of those twelve men who were in those two lines.

A. All I saw was Hama, who was at the head of the left line.

24. Q. What did you see Yoshizawa do with his sword?

This question was objected to by the accused on the ground that it was leading.

The judge advocate withdrew the question.

25. Q. As you had seen Yoshizawa with his sword, did you see him do anything with it?

A. No, I did not see him do anything.

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James D. Henry  
Lieutenant, U. S. Navy  
Judge Advocate

26. Q. Do you know who the two prisoners were that you saw that day?  
A. Do you mean their names?

27. Q. Do you know their nationality?  
A. No.

The judge advocate did not desire further to examine this witness.

Neither the accused nor the commission desired to examine this witness.

The witness said that he had nothing further to state.

The witness was duly warned and withdrew.

A witness for the prosecution entered and was duly sworn.

Examined by the judge advocate:

1. Q. State your name and former rank.  
A. Corporal Petty Officer Second Class Otawa, Yoshinori.

2. Q. If you recognize the accused, state their names and ranks.

The witness correctly identified all of the accused by name, with the exception of the accused Amura.

3. Q. Were you ever stationed at Truk?  
A. Yes.

4. Q. Where were you stationed there?  
A. The Fourth Naval Hospital.

5. Q. Between what dates did you serve at the Fourth Naval Hospital?  
A. From the twenty-fourth of December, 1943, until the end of the war.

6. Q. Did you ever dig up any bones at the Fourth Naval Hospital?

This question was objected to by the accused on the ground that it was leading.

The judge advocate replied,

The commission announced that the objection was not sustained.

A. Yes.

7. Q. Where did you dig up the bones?  
A. At the Fourth Naval Hospital.

8. Q. Just where?  
A. I will draw a diagram.

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*James P. Kenny*  
James P. Kenny,  
Lieutenant, U.S. Navy,  
Judge Advocate.

9. Q. We don't need a diagram. Where in relation to the officers' quarters did you find the bones?

A. There is a hill in back of the officers' quarters and on the hill there are two coconut trees. In between these two coconut trees I dug up some bones.

10. Q. Were you given orders to dig for these bones?

A. Yes.

11. Q. Who gave you the orders?

A. As I remember, I was ordered this by Warrant Officer Hanna.

12. Q. Did anyone tell you where to dig?

A. I was ordered by Warrant Officer Hanna to go to the hill in back of the officers' quarters.

13. Q. How did you know where to dig on that hill to locate these bones?

A. I did not know where to dig, and I do not remember who said to dig, but I remember Warrant Officer Hanna saying, "Dig here."

14. Q. Did he give this order to you?

A. No. There were four or five workers and as I remember he said this to us.

15. Q. How long did it take you to find these bones?

A. As I recall, we started to dig early in the afternoon and we found them near the evening of that afternoon.

16. Q. While you were digging, did anyone visit you on that hill?

A. The head of the hospital, Captain Iwanami, came.

17. Q. How many times did he come?

A. He came three or four times.

18. Q. Did he say anything to you?

A. I do not remember his saying anything in particular.

19. Q. Besides Captain Iwanami, did anyone else visit you on that hillside while you were digging?

A. As I recall, no one else came.

20. Q. Describe what you found.

A. It was human bones.

The accused moved to strike out this answer on the ground that it was the mere opinion of the witness.

The judge adverse replied.

The commission announced that the motion was denied.

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*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

21. Q. Did you find any skulls?

This question was objected to by the accused on the ground that it was leading.

The judge advocate withdrew the question.

22. Q. Have you ever seen a skeleton?

A. Yes.

23. Q. Did the bones which you found resemble bones which you have observed on a human skeleton?

A. Yes.

24. Q. How many skulls did you find?

A. Two.

25. Q. Besides these two skulls, about how many other bones did you find?

A. There were bones of four legs, four arms, and two torsos.

26. Q. What was done with these bones?

A. They were placed in a box and thrown into the sea.

27. Q. After they were placed in the box, where were they taken?

This question was objected to by the accused on the ground that it was improper in form.

The judge advocate withdrew the question.

28. Q. After the bones were placed in the box, what did you do with them?

A. I took them to the boat.

29. Q. Did anyone order you to do that?

A. I do not remember.

30. Q. Did anyone go along with you when you took the bones to the boat?

A. Petty Officer First Class Hanna.

31. Q. What kind of a boat did you take this box of bones to?

A. It was a small boat.

32. Q. Was there anyone on it?

A. On the boat was Petty Officer Hanna.

33. Q. After you had taken this box of bones to the boat, did anyone else come to the boat?

A. Afterwards, Warrant Officer Hanna arrived.

34. Q. What happened after Hanna arrived?

A. Putting the bones on the boat, we rowed the boat out to sea.

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*James P. Kony*  
James P. Kony,  
Lieutenant, U. S. Navy,  
Judge Advocate.  
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35. Q. Did Hama go out to sea with you?

A. Yes.

36. Q. After you got out to sea, what happened?

A. We sank this box between two rocks.

37. Q. And what happened then?

A. We roved the boat on.

38. Q. Other than yourself and Hama and Hamada, was there anyone else in that boat?

A. There was Petty Officer Kama, who brought the box together with us to the boat.

39. Q. When did you dig the bones up? Do you remember the date?

A. As I recall, it was the beginning of October or the end of September, 1945, after the end of the war.

40. Q. Do you know whose bones these were?

A. I do not know.

41. Q. Did you ever hear?

This question was objected to by the accused on the ground that it called for a hearsay answer.

The judge advocate withdrew the question.

42. Q. Did any of these accused ever tell you whose bones they were?

A. I do not remember.

43. Q. When Captain Inuzumi came up that hill three or four times to watch you dig for the bones; did he tell you whose bones they were?

This question was objected to by the accused on the ground that it was leading.

The judge advocate made no reply.

The commission announced that the objection was not sustained.

A. I do not remember.

44. Q. Did Hama tell you how these bones happened to be there where you found them?

This question was objected to by the accused on the ground that it was leading.

The judge advocate made no reply.

The commission announced that the objection was not sustained.

A. I do not remember.

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*James P. Kenney*  
James P. Kenney  
Lieutenant, U. S. Navy.  
Judge Advocate 95

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**Cross-examined by the accused:**

45. Q. Were you one of the workers?  
A. Yes.

46. Q. You testified that these bones resembled human bones. In what way did they resemble human bones?  
A. There were the skulls.

47. Q. Was this the only way that these bones resembled humans?  
A. The bones of the feet resembled a human's bones.

48. Q. When you came across these bones, were the bones all attached together and was it a complete skeleton?  
A. They were connected and in the shape of a human being.

49. Q. How many bones did you dig up that day?  
A. Two.

50. Q. Do you mean by that you dug up two skeletons or just two bones?  
A. Two sets of bones which were connected in a shape of a human being.

51. Q. How big was this skeleton of bones; that is, how long was it?  
A. I do not remember distinctly.

52. Q. Was it more than three feet long?  
A. Three feet is not of sufficient length.

53. Q. How much more than three feet were they?  
A. It was longer than three feet, but I do not remember how much longer it was.

54. Q. Was there any marker at the spot where you started to dig?  
A. I do not remember.

55. Q. How deep did you have to dig before you discovered the bones?  
A. About four feet six inches to five feet.

56. Q. What was the condition of the bones that you found?  
A. One of the heads was toward the feet of one of the skeletons. The head was opposite the feet of the other skeleton.

The question was repeated in Japanese.

A. (Continued.) They were sort of a white and blackish color.

57. Q. Were the skeletons face to face or one on top of the other?  
A. Toward the feet of one of the skeletons the skull of the other skeleton was there.

58. Q. Was there any flesh on these bones?  
A. As I remember, no.

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*James D. Koway*  
James D. Koway,  
LA. Notary Public,  
Judge Advocate.

59. Q. Were there any clothes attached to the bones?

A. As I recall, no.

60. Q. Were there any identification marks or identification tags buried with these skeletons?

A. I do not remember distinctly.

61. Q. Were any of the bones broken?

A. I do not remember.

62. Q. Did you sink the bones between two rocks the same day as you found the bones?

A. No.

63. Q. How many days later?

A. As I recall, it was about three o'clock in the afternoon of the next day.

64. Q. You dug and found the bones some time in October of 1945?

A. As I recall, it was in the end of September or the beginning of October.

65. Q. The end of September or beginning of October. When did the American forces occupy Truk?

A. I do not remember.

66. Q. Had they already occupied Truk when you started to dig for these bones?

A. I do not remember.

67. Q. Do you remember when the war was over?

A. I do.

68. Q. When?

A. As I remember, it was in the middle of August, 1945.

69. Q. And you still say that when you dug for the bones, it was September or October of 1945?

A. Yes.

70. Q. How far to sea did you take these bones, approximately? One mile or five miles?

A. As I recall it was about five hundred to six hundred meters off shore.

71. Q. Did you just drop the box over the side?

A. As I remember they were placed between two rocks.

72. Q. Was the box weighted down?

A. As I remember, no weights were placed on the box.

73. Q. Could you find the two rocks between which you placed this box of bones if you went back and looked for them?

This question was objected to by the judge advocate on the ground that it was irrelevant and immaterial.

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*[Signature]*  
JAMES E. HANLEY  
Judge Advocate, U.S. Navy,  
Judge Advocate

The accused replied,

The commission announced that the objection was sustained.

Neither the judge advocate nor the accused desired further to examine this witness.

The commission did not desire to examine this witness.

The witness said that he had nothing further to state.

The witness was duly warned and withdrew.

The commission then, at 4:25 p.m., adjourned until 9 a.m., tomorrow, Thursday, July 10, 1947.

CERTIFIED TO BE A TRUE COPY:

*James H. Lenny*  
James H. Lenny,  
Lieutenant, U. S. Navy,  
Judge Advocate

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**FIFTEENTH DAY**

United States Pacific Fleet,  
Commander Marianas,  
Guam, Marianas Islands,  
Thursday, July 10, 1947.

The commission met at 9 a. m.

**Present:**

Rear Admiral Arthur G. Robinson, U. S. Navy,  
Lieutenant Colonel Henry K. Roscoe, Coast Artillery Corps, United States  
Army,  
Lieutenant Colonel Victor J. Garbarino, Coast Artillery Corps, United  
States Army,  
Lieutenant Colonel William K. Lamm, junior, U. S. Marine Corps,  
Lieutenant Commander Bradner W. Lee, junior, U. S. Naval Reserve,  
members, and  
Lieutenant Commander Joseph A. Regan, U. S. Navy, and  
Lieutenant James P. Kenny, U. S. Navy, judge advocates,  
Robert R. Miller, yeoman first class, U. S. Navy, reporter.  
The accused, their counsel, and the interpreters.

The record of proceedings of the fourteenth day of the trial was read  
and approved.

No witnesses not otherwise connected with the trial were present.

A witness for the prosecution entered and was duly sworn.

Examined by the judge advocates:

1. Q. State your name and former rank.  
A. Hamada, Toshikisa, petty officer second class.
2. Q. If you recognize the accused, state their names and ranks.

The witness identified each of the accused by name and rank with the  
exception of the accused Amamura, Shunpei, whose face he said he recognized  
but could not remember his name and rank.

3. Q. Did you ever serve at Truk?  
A. Yes.

4. Q. Where at Truk did you serve?  
A. The Fourth Naval Hospital on Truk.

5. Q. Between what dates did you serve at the Fourth Naval Hospital?  
A. March 3, 1944, till the end of the war.

6. Q. Did you ever see any prisoners of war at the hospital?  
A. Yes.

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*James P. Kenny*  
James P. Kenny, U. S. Navy,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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7. Q. When did you see them?

A. The latter part of July, 1944.

8. Q. Where did you see them?

A. Behind the officers' quarters of the hospital.

9. Q. What is behind the officers' quarters at the hospital?

A. An open space.

10. Q. Is there a hill there?

This question was objected to by the accused on the ground that it was leading.

The judge advocate made no reply.

The commission announced that the objection was sustained.

11. Q. How did you happen to go behind the officers' quarters hospital?

A. There was a general assembly so I went.

12. Q. Who told you there was a general assembly?

A. The woman at the information desk called the general assembly, so I knew.

13. Q. When you got the call that there was a general assembly, where did you go?

A. After the general assembly was called, I went toward the administration building, but on my way I met some men who said that the general assembly will take place at the top of the hill, so I went there.

14. Q. Do you remember who told you this?

A. I do not remember.

15. Q. When you got to the top of that hill, what did you see?

A. When I got to the hill the prisoners were tied to the cross-bar with two lines of men in front of them; the officers were lined up on the officers' side and the petty officers and enlisted men were lined up to surround the prisoners.

16. Q. What officers did you see on the hill when you got there?

A. I do not remember the faces of the officers, but I saw them lined up and I remember them.

17. Q. Were any of the officers who are here in court today on the hill that day?

A. Yes.

18. Q. Name them.

A. Captain Tennant and Lieutenant Gladi.

19. Q. Are they the only two that you remember as being there at that time?

A. They are the only two.

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James M. Henry  
Laurens, V. A. 1947  
Judge Advocate

20. Q. What happened then?

A. Then the head of the hospital made a speech. At that time I saw for the first time the adjutant's, Lieutenant Commander Kamikawa's, face.

21. Q. What happened then?

A. After the speech, by orders of Lieutenant Oishi, the two persons proceeded to stab.

22. Q. Did only two persons stab?

A. In groups of two, two by two.

23. Q. Do you know who gave Oishi orders to have these prisoners stabbed?

A. Captain Iwanami, Lieutenant Oishi and Lieutenant Commander Kamikawa were talking to each other, and I remember Captain Iwanami gave orders to Kamikawa and saluted the captain and in turn gave orders to Oishi.

24. Q. These two men that you say stabbed, where were they standing in relation to the prisoners?

A. To the right of the prisoners.

25. Q. Was there anyone behind them?

A. There were petty officers in two lines consisting of about fifteen or sixteen people in the two lines.

26. Q. Do you know whether or not they were all petty officers in those two lines?

A. All of them were petty officers.

27. Q. Can you give us the names of all of the men that were in those two lines?

A. Yes.

28. Q. Name the men in those two lines.

A. Chief Petty Officer Hama, Chief Petty Officer Wata<sup>habe</sup>, Chief Petty Officer Sasaki, Chief Petty Officer Tanabe, Petty Officer First Class, Tanaka, Petty Officer Second Class Akabari, Petty Officer Second Class Hamabara, Petty Officer Second Class Hamatani, Petty Officer Second Class Totsui, Petty Officer First Class Takahashi, Petty Officer Second Class Mitsuhashi, Petty Officer First Class Kawahara, Chief Petty Officer Sakai. In relation to Sakai, I have only a faint recollection.

29. Q. Do you know the names of any other men that were in those lines?

A. Is that only the definite ones?

30. Q. Give us any names of men that you recall of having been in those two lines. Now I am talking about names other to the ones you have given us.

A. I do not know.

31. Q. Now, these thirteen names you have given us, what were they carrying?

A. Rifles with fixed bayonets and spears.

CERTIFIED TO BE A TRUE COPY  
*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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0925

32. Q. Do you know how these thirteen men that you named happened to be in those two lines?

A. I know because I saw them.

33. Q. You know they were there. The question is: Do you know how they happened to get there?

A. I do not know.

34. Q. Did any of these men that you have named ever leave those two rows?

A. I recall that there were none that left the line.

35. Q. After Oishi gave them orders to stab, what happened?

A. After Oishi gave orders, they all stabbed two by two and after they were finished, the prisoners were taken down to the ground and Yoshizawa and the Forty-first Guard Unit officers cut off their heads.

36. Q. Is that officer from the Forty-first Guard Unit in this court today?

A. Yes.

37. Q. Can you pick him out?

A. First row, second man from the right.

The accused sitting in the seat in the first row, the second man from the right, was Anamura, Shunpei.

38. Q. How you said that Yoshizawa and Anamura cut off the heads of these prisoners. Did they actually get the heads off?

This question was objected to by the accused on the ground that it was leading.

The judge advocate replied,

The commission announced that the objection was not sustained.

A. I recall they did not fall off.

39. Q. How many times did Yoshizawa cut at the heads of these prisoners?

A. I forget.

40. Q. How many times did Anamura cut at the heads of these prisoners?

A. I do not know.

41. Q. What happened after the prisoners had been stabbed and after Yoshizawa and Anamura got done using swords on their heads?

A. The clothing of the prisoners was taken off and the prisoners were buried in a hole.

42. Q. Who gave the orders to take the clothing of the prisoners off?

A. I do not know.

43. Q. Who gave the order to bury the prisoners?

A. I do not know.

CERTIFIED TO BE A TRUE COPY:  
*James P. Kenney*  
James P. Kenney,  
Lieutenant, U. S. Navy,  
Judge Advocate.

300

0926

44. Q. You have testified that these thirteen petty officers were in the two rows of stabbars. Were there any other persons in those two rows?  
A. I do not know.

45. Q. What happened after the prisoners were buried?  
A. I do not know.

46. Q. Did you always work at the Fourth Naval Hospital?  
A. Yes.

47. Q. Did you always work at the Fourth Naval Hospital or were you just always attached to the Fourth Naval Hospital?  
A. I had duty at the Fourth Naval Hospital.

48. Q. I show you these papers and ask you: Are they in your own handwriting?  
A. Yes.

49. Q. Looking at these papers, do they refresh your recollection?  
A. Yes.

50. Q. Now that your recollection has been refreshed, did you ever work at any other place but the Fourth Naval Hospital?  
A. After I came to the Fourth Naval Hospital, I never worked outside, but before I came to the Fourth Naval Hospital, I worked in other places.

51. Q. In April, 1945, where were you working?  
A. I was working with the fishing party of the Fourth Naval Hospital.

52. Q. Tell us about that.  
A. About the latter part of October or the early part of November, 1945, four or five men of the working party came with two small houses, the contents were not let known to the crew. The head of the fishing party was not there, but Hanna told us to get away so we went out by Hanna's order. About six hundred meters from land, we tried to sink the houses, but they would not sink so we came back where there were some reefs and we tied the houses to the reef. On our way home, Hanna told us to go to the galley and get a rice sack and for us to put the houses in the rice sack and sink them. So the next day, I got the rice sack and was waiting for Hanna, but neither Hanna nor the fishing party nor the workers appeared. We were not able to get the boat out of there at low tide. As I had to go fishing and had been ordered to sink the two houses, I left without them. When I got there, I put the two houses in the sack and put the weight on and sank them.

53. Q. When the box did not sink, did you look in the other boat?

This question was objected to by the accused on the ground that it was leading.

The judge adverse withdrew the question.

54. Q. Did you ever look in either of those houses?  
A. I saw it after we left land and before we sank it.

TESTIFIED TO BE A TRUE COPY:

*James P. Fony*  
James P. Fony,  
Lieutenant, U. S. Navy,  
Judge Advocate

301

0927



55. Q. What was in it?

A. I do not know whose bones they were, but there were bones in the boxes.

56. Q. Do you remember the names of any of the men that came to the boat with Hama?

A. I do not remember.

57. Q. After you had disposed of the bones by sinking them in a rice sack at sea, did you ever report this to anyone?

A. After I came back that day after sinking the bones, I met Warrant Officer Hama near surgical ward number one and I told him about it.

58. Q. Did Hama tell you whose bones they were?

This question was objected to by the accused on the ground that it was leading.

The judge advocate withdrew the question.

59. Q. When you reported this to Hama, did you have a conversation with him?

A. He just said, "That is good, fine."

60. Q. Did you ever have a conversation with any of these accused concerning these bones?

A. I do not know when, but I heard later that they were the bones of the two prisoners killed on the Mill.

The accused moved to strike out this answer on the ground that it was hearsay.

On the request of the judge advocate, the commission announced that it would permit the judge advocate to inquire as to the source of the information before ruling on the motion to strike.

61. Q. From whom did you hear that the bones were the bones of the two men killed in July? Did you hear it from any of these men sitting here as accused?

A. I do not remember.

The commission directed that the answer to question 60 be stricken out.

Cross-examined by the accused:

62. Q. You testified you saw two American prisoners of war. What is a prisoner of war?

A. They were Americans brought over to the Fourth Naval Hospital.

63. Q. How do you know they were Americans?

A. Because they are different from Japanese.

64. Q. Is this the first time you had ever seen persons like this that you say were Americans?

A. Yes.

IDENTIFIED TO BE A TRUE COPY

*James P. Yonny*  
James P. Yonny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

302

0928

65. Q. Have you ever seen persons that were different from Japanese and were not Americans?

A. No, I have not.

66. Q. Did someone tell you that these prisoners were Americans?

A. When the head of the hospital made a speech, he said they were Americans.

67. Q. How long had you been at Truk in July, 1944? How many months?

A. About one-half year.

68. Q. When did you come to Truk?

A. October 5, 1943.

69. Q. Is that the date you testified to on direct examination?

A. The first time I came to Truk was October 5, 1943, but I was transferred to Ponape and Kwajalein, but in the direct examination I stated March 3, 1944, as the time I was stationed at the Fourth Naval Hospital.

70. Q. When general assembly was called out that day, what were you required to do?

A. Whenever a general assembly is called, persons who are not on duty are to gather in front of the administration building.

71. Q. Did you do so that day?

A. I was a little late to assemble in front of the administration building. I was running toward it when I met persons coming back from the general assembly who said we are to meet on top of the hill, so I went there. That is because the place where I had duty was number three ward of contagious diseases which is the furthest place from the administration building.

72. Q. What division were you in at the hospital in July, 1944?

A. The internal department and contagious disease department was in the second division, so I belonged to the second division.

73. Q. How many men were in that second division?

A. I forget.

74. Q. Were there ten?

A. I do not know.

75. Q. Were there more than ten?

A. I recall it to be more than ten.

76. Q. How long had you been in this division in July, 1944?

A. About five months.

77. Q. Can you name any of the men that were in that division with you?

This question was objected to by the judge advocate on the ground that it was irrelevant and immaterial.

The accused replied.

The commission announced that the objection was sustained.

CERTIFIED TO BE A TRUE COPY:

*James D. Fenny*  
James D. Fenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

303

0929

78. Q. Were any of the men that you named as being on the hill that afternoon in that division that you were in?

A. Yes, there were.

79. Q. Which of these men that you named were in the second division?

A. Warrant Officer Hama, who was then a chief petty officer, and Petty Officer First Class Kawashima.

80. Q. These were the only two men that were in your division of the men that you named as being on the hill?

A. I remember it to be that way.

81. Q. Are you still in the navy or have you been demobilized?

This question was objected to by the judge advocate on the ground that it was immaterial.

The accused replied.

The commission announced that the objection was sustained.

The commission then, at 10:20 a. m., took a recess until 10:40 a. m., at which time it reconvened.

Present: All the members, the judge advocate, the reporter, the accused, their counsel, and the interpreters.

No witnesses not otherwise connected with the trial were present.

Hama, Toshihisa, the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

(Cross-examination continued.)

82. Q. What was your rate in July, 1944?

A. Corporal superior seaman.

83. Q. First you said you could not remember the officers that were present on the hill that afternoon, and then you looked at the accused and named Captain Iwanami and Lieutenant Oishi. How is it you could remember those two?

A. I answered that question just as I got there and saw lots of officers but I could not identify them, but when I stayed there I identified the two I mentioned.

84. Q. Did you know Iwanami's name at that time?

A. Yes.

85. Q. Did you know Oishi's name at that time?

A. Yes.

86. Q. Did you know Kamikawa's name at that time?

A. Yes.

IDENTIFIED TO BE A TRUE COPY:

*James W. Conroy*  
James W. Conroy,  
Lieutenant, U. S. Navy,  
Judge Advocate.

304

0930

87. Q. Did you know the names and rates of all the men you named as being in the line that afternoon in July, 1944?

A. Yes, I did.

88. Q. Who was the first of these men that you named to stab the prisoner?  
A. The column on the side of the officers was Hanna, and on the right column was, I think, Kawahira.

89. Q. Did you see Hanna stab the prisoner?  
A. Yes, I did.

90. Q. What did he stab with?  
A. With a rifle with a fixed bayonet.

91. Q. What prisoner did he stab?  
A. The one on the left.

92. Q. Were you looking at the prisoner when he was stabbed?  
A. I was watching Hanna.

93. Q. Then, you did not see Hanna stab the prisoner if you were watching Hanna. Is that right?  
A. When Hanna stabbed, he was right next to the prisoner and in watching Hanna, I could see that he stabbed.

94. Q. Where were you standing?  
A. I was standing in the line where the enlisted men were lined up as spectators and I was looking at them at an angle.

95. Q. Were you in the front line?  
A. I do not recall now.

96. Q. How far away from Hanna were you standing?  
A. I did not measure so I do not know.

97. Q. How far from the prisoner were you standing?  
A. I do not know.

98. Q. Were you twenty meters away from him?  
A. I cannot state definitely how far it was because I did not measure it, but I think it was about twenty meters.

99. Q. Did you see the prisoner's face when he was stabbed?  
A. I saw his face.

100. Q. Was the prisoner blindfolded?  
A. The blindfold was taken off before they were stabbed.

101. Q. Did you see the blindfold taken off?  
A. Yes.

102. Q. Who did you see take the blindfold off the prisoner?  
A. I recall Yoshizawa took it off.

OFFENSES TO BE TRIED  
James P. Henry  
Lieutenant, U. S. Navy  
Agent & Associate

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0931

103. Q. Did he take them off both prisoners?

A. I do not know that point.

104. Q. Was he ordered to take the blindfolds off?

A. I was not near him, so I do not know, but it is a fact that the blindfolds were taken off before they were stabbed.

105. Q. What happened to the prisoner when Henna stabbed him?

A. I cannot state what happened to the prisoner because I do not recall.

106. Q. Did the prisoner bleed?

A. I do not recall.

107. Q. Did the prisoner make any sound?

A. I do not recall.

108. Q. Did the prisoner remain standing after Henna stabbed him?

A. Yes.

109. Q. Was this because he was tied in such a way to prevent him from falling down?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness.

The accused made no reply.

The commission announced that the objection was not sustained.

A. Yes.

110. Q. Was the other prisoner tied in the same way?

A. Yes.

111. Q. Was there blood on Henna's bayonet after he finished stabbing the prisoner?

A. I did not see, so I do not know.

112. Q. Who else did you see stab the prisoner?

A. I do not recall the order as to who was second and who was third, but it is a fact that the petty officers in the line did stab, but I do not know the order.

113. Q. Who first stabbed the other prisoner?

A. The first one to stab the other prisoner, I recall, was Kawashima.

114. Q. What did he stab the prisoner with?

A. I recall he stabbed with a spear.

115. Q. Were you looking at the prisoner when you saw Kawashima stab?

A. The two prisoners were tied and in front of the two prisoners were two lines and I was looking at them from an angle.

IDENTIFIED TO BE A TRUE COPY:

*James P. Kenney*  
James P. Kenney,  
Lieutenant, U. S. Navy,  
Judge Advocate.

306

0932

116. Q. Were you looking at the prisoners or were you looking at the stabbers when they stabbed?

A. I was watching both.

117. Q. Was there anyone between you and the line of stabbers in which you said Kawashima stabbed first?

A. No one was there.

118. Q. You were standing closer to that line than the one that Hama was in. Is that true?

A. The line that Kawashima was in was closest.

119. Q. Was this prisoner blindfolded when he was being stabbed?

A. As I have stated before, the blindfolds of the prisoners were <sup>taken</sup> taken off before they were stabbed.

120. Q. What happened to this prisoner when Kawashima stabbed him?

A. As I stated before, I cannot say what happened to the prisoners after they were stabbed.

121. Q. Did this prisoner bleed?

A. Right now, I do not recall.

122. Q. Did he make any sound?

A. I do not recall.

123. Q. Did he remain standing?

A. Yes.

124. Q. Did you see any blood on the spear that Kawashima used?

A. I did not see the weapon the stabber used, so I cannot say.

125. Q. How do you know that Kawashima used a spear if you did not see the weapon that he used?

A. I was standing a little distance from the stabber, and I saw the stabbers holding rifles with fixed bayonets and spears, but as they did not hand it over to me, I did not see the weapons.

126. Q. Are you sure that Kawashima did ~~not~~ use a rifle and bayonet in stabbing?

A. He used a spear.

127. Q. What did Kawashima do after he finished stabbing the prisoner?

A. The persons in the line stabbed in two's, and after they finished stabbing they turned right and came back.

128. Q. You mean he fell in at the end of the line again?

A. That I do not recall right now.

129. Q. After Hama finished stabbing that prisoner who stabbed the prisoner next?

A. I do not know the order.

IDENTIFIED TO BE A TRUE COPY:

*James T. Laney*  
James T. Laney, Copy  
Lieutenant, U. S. Navy,  
Jugo L. Lucuto, Navy,

307

0933

130. Q. Did you see Watanabe stab a prisoner?  
A. Yes, I did.

131. Q. Which prisoner did he stab?  
A. I do not recall.

132. Q. Did he stab both prisoners?  
A. Only one.

133. Q. Was it the same prisoner that Homma stabbed?  
A. That, I do not recall.

134. Q. What did Watanabe stab with that day?  
A. That I do not recall also. The weapon which he had was a rifle with a fixed bayonet or a spear.

135. Q. You do not know which of the two weapons he had?  
A. I do not recall.

136. Q. Is it not true that the only reason you say you saw him stab is because you know the prisoners were stabbed with either a spear or a bayonet. Is that not the reason you say you saw Watanabe stab.

This question was objected to by the judge advocate on the ground that it was argumentative.

The accused withdrew the question.

137. Q. Can you actually remember seeing Watanabe stab that afternoon?  
A. Yes, I do remember.

138. Q. Did you know what his name was that day?  
A. Yes, I did.

139. Q. But you do not remember with what he stabbed. Is that right?  
A. I do not recall.

140. Q. What happened to the prisoner that Watanabe stabbed?  
A. That also I do not recall.

141. Q. Did the prisoner bleed after Watanabe stabbed him?  
A. That also I do not recall.

142. Q. Was there blood on the weapon that Watanabe used after he finished stabbing the prisoner?  
A. I did not see the blood, so I do not know.

143. Q. What did Watanabe do after he finished stabbing the prisoner?  
A. There were two lines in front of the prisoners and they stabbed once two by two and after the two stabbed, they turned right and came back. I do not remember the order in which they stabbed, but I know that the men in those two lines did stab.

144. Q. Did you actually see Watanabe stab and can you remember Watanabe advancing on the prisoner and stabbing him with a weapon?  
A. Yes, I did.

308  
CERTIFIED TO BE A TRUE COPY:  
*James P. Barry*  
James P. Barry  
Lieutenant, U. S. N.  
Judge Advocate

0934

145. Q. What division was Watanabe in at the hospital?

A. I do not know in what division, but he was in the paymaster section.

146. Q. Was Watanabe the only paymaster that stabbed that afternoon?

A. There was Petty Officer First Class Sando of the paymaster group.

147. Q. Were all the enlisted men that did not stab lined up in one group that afternoon?

A. They were grouped on the right side of the scene.

148. Q. Was the paymaster division with that group on the right side?

A. I do not know the names of the persons who were in that group, but I know that all the persons off duty of the company and the paymaster section were there.

149. Q. How many enlisted men would you say were present there that afternoon?

A. I did not count them, so I do not know.

150. Q. When you came to the hill that afternoon, did you see the prisoners tied and the line of stabbers already formed?

A. Yes.

151. Q. Were there many persons there beside the stabbers when you arrived?

A. Yes.

152. Q. Did you walk right up in the front line and stand there when you arrived?

A. I do not know where I was standing right now, but it is a true fact that I was standing there and watching.

153. Q. Did many persons arrive on the scene after you arrived?

A. That I do not recall.

154. Q. Had the stabbing already started when you arrived?

A. No. When I went up there they were in a line and in a little while the head of the hospital gave a speech.

155. Q. How long did this speech last?

A. I did not have a watch, so I do not know.

156. Q. Where did the hospital chief stand when he made this speech?

A. I cannot say in words, but if you give me some paper, I will make a diagram.

157. Q. Was he standing near the prisoners?

A. He was standing on the side toward the officers' quarters.

158. Q. Could you hear what he said?

A. Yes, I did hear.

159. Q. What did he say?

A. I cannot say word for word what he said that day, but he stated that these American prisoners bombed the hospital and caused lots of damage and many patients who were resting in the hospital died from it and there are also many who died from the shock of this bombing and at the end, he stated that they were not humans but animals.

IDENTIFIED TO BE A SHUX COPY:

*James R. Keating*  
James R. Keating  
L. H. Keating, V. S. Keating  
Sergeant A. Keating



160. Q. Did he state that the hospital had been bombed during the day time?

A. I do not recall that.

161. Q. Did he state that these prisoners were to be killed because they bombed the hospital?

A. That, I do not recall.

162. Q. Did he order these petty officers to stab that you saw stab the prisoners?

A. I did not hear what order Iwanami gave, but Iwanami, the adjutant and Oishi were talking and Iwanami was talking to the adjutant and the adjutant saluted him and then the adjutant talked to Oishi and he gave the orders.

163. Q. Where was Oishi standing when he gave the orders?

A. If Kamikawa was myself, Oishi was standing to the left and to the front.

164. Q. How far from the stabbers was Oishi standing when he gave the orders?

A. I do not know.

165. Q. Did you hear him give any orders to the stabbers?

A. The first time he gave the order, I heard it.

166. Q. What did he say?

A. My recollection is he commanded, "Stab!"

167. Q. Did the stabbers stab right away when he commanded them to stab?

A. The stabbers were standing where, as the order was given, they could take one step and stab.

168. Q. Did they take one step and stab as soon as Oishi told them to?

A. From what I recall from what I saw, they did.

169. Q. What did Sawada stab with that day?

A. I do not recall.

170. Q. Do you recall if he stabbed the same prisoner as Hama stabbed?

A. As I have been stating, I just know the two who stabbed first. As for the rest, the order or what kind of weapons they had, I do not recall, but it is a fact that the men in the lines did stab.

171. Q. Did you actually see these men that you named in the lines stab?

A. I was watching them from an angle from the side line and I could see them advancing to stab.

172. Q. But, did you see their weapons pierce the prisoners when they stabbed him?

A. I could say that they stabbed, but I cannot say what part they stabbed.

173. Q. Do you remember if Sawada stabbed with a bayonet?

This question was objected to by the judge advocate on the ground that it was repetitious.

The accused replied.

The commission announced that the objection was not sustained.

PREPARED TO BE A TRUE COPY:

*James T. Loney*  
James T. Loney,  
Lieutenant, U. S. Navy,  
Suigo Airbase.

A. As I have stated before, I do not know what he stabbed with.

The witness was duly warned.

The commission then, at 11:30 a. m., took a recess until 2 p. m., at which time it reconvened.

Present: All the members, the judge advocates, the accused, their counsel, and the interpreters.

Joseph Kase, junior, yeoman second class, U. S. Navy, reporter.

No witnesses not otherwise connected with the trial were present.

Kameda, Toshihiko, the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

(Cross-examination continued.)

274. Q. How many persons did you see in the two lines of stabbers?

A. As I remember, about fifteen or sixteen.

275. Q. Do you know how these persons got the weapons that they used to stab?

A. I do not know.

276. Q. Of these fifteen or sixteen persons that you saw in these two rows, how many did you actually see stab the prisoners that afternoon?

A. The ones I saw distinctly stab were twelve persons.

277. Q. Who were the three or four other persons in that line?

A. I do not remember.

278. Q. Did you know that day that the officer that you say now is from the Forty-first Naval Guard Unit was the officer from the Forty-first Naval Guard Unit?

A. As they were using this name, the naval guard unit, I know that he was from the naval guard unit.

279. Q. Since who was using that name?

A. The persons at the hospital were using this and they were saying that it was the quarters of the common sailors, from the Forty-first Naval Guard Unit, and I forget from whom I heard it at this time.

280. Q. Was this officer that you think was from the Forty-first Naval Guard Unit attached to the naval hospital?

A. I do not know.

281. Q. You just guessed that he was from the Forty-first Guard Unit. You did not know that he was from the Forty-first Guard Unit. Is that right?

A. As they were calling in the same room, I can say distinctly that he was from the Forty-first Guard Unit.

QUALIFIED TO BE A TRU COPY:

*James H. Keating*  
James H. Keating,  
Lieutenant, U. S. Navy,  
Judge Advocate

311

0937

182. Q. You mean that this officer had eaten with the enlisted men in the same room as they did?

A. No.

183. Q. What room did he eat in?

A. The young sailors had their meals together with the persons who were working at the hospital quarters.

184. Q. But the officer that you stated you thought was from the Forty-first Guard Unit, how do you know that he was from the Forty-first Guard Unit?

A. Because the sailors we ate together with said that they were from the Forty-first Naval Guard Unit, and also when the quarters were being emptied to take them in, we were told that sailors from the Forty-first Garrison would come.

185. Q. How many officers came with them?

A. As I recall, there were about two.

186. Q. Do you recall their names?

A. No.

187. Q. Where they both at the scene of the execution that afternoon?

A. I do not know. One, I saw distinctly.

188. Q. Which one did you see?

A. I saw the person who was sitting over there. <sup>The witness pointed to</sup> the accused, Amura.

189. Q. When did the Americans come to Truk?

A. As I recall, the American occupation forces came to Hoon near the end of November.

190. Q. What year?

A. As I recall, the latter part of November of 1945.

191. Q. How big was this box that Hoon and four or five men came with that day?

A. As I recall, the width was about eight inches, the length and <sup>height</sup> about one foot three inches.

192. Q. Did one man only carry this box?

A. I do not remember.

193. Q. How big was the rice sack that you used to put this in?

A. I cannot describe exactly, but it is about the size that I have just shown.

194. Q. Was this box a paper box?

A. The box was wood.

195. Q. Did it have a cover on it?

A. No.

CERTIFIED TO BE A TRUE COPY:

*James P. Loney*  
James P. Loney  
Lieutenant, U. S. Navy  
Bufile 4-700455

196. Q. Was Hanna with you when you went out to sink the box that first afternoon?

A. Yes.

197. Q. You stated that you could not sink the box. How did you tie the box to the reef?

A. There is a shallow reef and we tied this box to this reef, and returned.

198. Q. From whom did you get this sack at the galley?

This line of questioning was objected to by the judge advocate on the ground that it was irrelevant.

The accused replied.

The commission announced that the objection was sustained.

199. Q. Did you tell the person at the galley what you wanted the sack for?

A. No.

200. Q. You said that the next day you could not get the boat out because of the low tide. At what time was the tide low that day?

A. I do not remember exactly now, but generally it was about ten o'clock in the morning.

201. Q. Do you know what day of the month and what month this was?

A. No.

202. Q. You said that the next day you, for the first time, saw the bones in the box. What time of the day was that when you first saw these bones?

A. When I testified that I saw the bones, it was, I am sure, that I saw them when the bones were to be sunk.

203. Q. The first day?

A. Yes.

204. Q. Who else saw the bones in the box that first day.

A. I do not remember.

205. Q. Who took the bones out to sea that second day when you sank the box with the bones?

A. Myself and two persons of the fish detail.

206. Q. Who were these two persons?

A. They were two persons called Huri and Ayubo who worked in the pharmacy section.

207. Q. Were you in charge of the bones that day?

A. As Petty Officer Hanna did not come and neither did the workers, nor persons from the working detail, nor the head of the fishing detail and the persons in the fishing detail were to fish, I put out the boat. I had heard from Hanna that they were to be sunk, so I took the boat out.

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208. Q. How far to sea did you go?

A. About five hundred to six hundred meters off shore.

209. Q. Did you just go out to sink the box?

A. Yes, and also to catch fish.

210. Q. Had you ever before gone out to sink boxes like this?

A. I have previously gone out to sink boxes in the sea and these boxes contained debris and small pieces which were taken to sea to dump.

211. Q. What did you do to make the box sink the second day?

A. The next day, I got a sack from the galley and emptying the bones into the sack, sank them at sea.

212. Q. So that the bones were in the sack and not in the box when you sank them?

A. Yes. They were placed into the bag from the box and sunk.

213. Q. Did you continue to fish after you had done this?

This question was objected to by the judge advocate on the ground that it was irrelevant.

The accused made no reply.

The commission announced that the objection was sustained.

214. Q. Did you ever see the sack with these bones again?

A. No.

215. Q. You testified that after the stabbing of the two prisoners was over, the prisoners were placed on the ground and Yoshizawa and the officer from the Fifty-first Naval Guard Unit cut the prisoners. Is this correct?

A. Yes.

216. Q. What do you mean when you say the prisoners were placed on the ground?

A. As I recall, the prisoners were placed sitting on the ground and there was a rope tying them from the top or from the side, I do not remember.

217. Q. Could the prisoner walk by himself?

A. I do not know.

218. Q. How were the prisoners seated on the ground?

A. When I say sitting on the ground, I mean they were lowered to the ground from their standing position.

219. Q. Then, were they sitting there without anyone holding them up?

A. When I saw them, no one was holding them up. I think it was because they were tied from behind.

220. Q. What do you mean when you say they were tied from behind? Were they tied to something?

A. I would like to have the question repeated.

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*James P. Henry*  
James P. Henry,  
Lieutenant, U. S. Navy,  
Judge Advocate.

221. Q. You testified that they were tied from behind. What were they tied to?

A. This is what I remember, and I cannot say that this is exact or definite.

222. Q. What do you mean when you say what is not exact or definite?

A. What I mean is that there may be some other way, but this is what I remember, and I am just testifying what I remember. When I saw and I stated that they were sitting, I think they were tied in behind.

223. Q. Then, were they tied to something?

A. Yes. That is how I remember it.

224. Q. Isn't it true that the prisoners were cut without being lowered from their standing positions?

A. No.

225. Q. Then, when they were lowered to the ground, were the ropes that they were tied with untied?

A. I do not remember, but when I saw them, they were with the ropes, and I remember distinctly when they were lowered to the ground.

226. Q. Were you watching the prisoners being cut in your former position in the formation?

A. After the stabbing, as they were being lowered, everyone broke their formation who was watching and sort of encircled the prisoners.

227. Q. Then, did you go close by and watch?

A. I was watching from the same place as the others.

228. Q. Is it closer than your former position?

A. Yes.

229. Q. Did you see the wound when they were cut?

A. Yes.

230. Q. Did blood come from the wound?

A. I do not remember.

231. Q. The two prisoners who have been held up, were their heads bowed?

A. I do not remember.

232. Q. Did Oishi cut the prisoners?

A. I do not remember.

233. Q. Was there anything that hindered or obstructed your view when the prisoners were cut?

A. I do not remember.

234. Q. How far were you from where the cutting was taking place?

A. I do not remember.

Examined by the judge advocate:

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*James P. Hendry*  
James P. Hendry,  
Lieutenant, U.S. Navy,  
Judge Advocate

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235. Q. In your cross-examination, you stated that you distinctly saw twelve of these accused stab. Will you tell us the twelve you saw stab?  
A. Shall I say the ranks at that time?

236. Q. It does not make any difference.  
A. Homma, Watanabe, Tanabe, Kusabara, Akabori, Tanaka, Sawada, Kawashima, Tsutsui, Namatame, Takaishi, Mitsubishi.

237. Q. You have said that Mukai was in the line of stabbers. Didn't you see Mukai stab?

This question was objected to by the accused on the ground that it was leading.

The judge advocate withdrew the question.

238. Q. What about the thirteenth man that you mentioned this morning as being in the line of stabbers. Didn't you see him stab?

A. At this time, when I mentioned Mukai's name, I also stated that my recollection of him was faint.

Recross-examined by the accused:

239. Q. Although you were sure that these twelve men stabbed, yet you did not see any blood on the bayonets or the spears of any of these twelve stabbers after they finished stabbing. Is that correct?

This question was objected to by the judge advocate on the ground that it was repetitious.

The accused replied.

The commission announced that the objection was not sustained.

A. I do not remember.

240. Q. You mean by that answer you do not remember whether you saw any blood or you did not see any blood?

A. I would like to have the question repeated.

The question was repeated in Japanese.

A. (continued) I would like to have the question repeated once more.

The question was repeated in Japanese.

A. (continued) As the distance was great, I could not see at all.

Neither the judge advocate nor the accused desired further to examine this witness.

The commission did not desire to examine this witness.

The witness said that he had nothing further to state.

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Lieutenant, U. S. Navy,  
Judge Advocate

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The witness was duly warned and withdrew.

A witness for the prosecution entered and was duly sworn.

Examined by the judge advocate:

1. Q. State your name and former rank.

A. When you say former, what period of time do you mean?

2. Q. What was the last rank you held?

A. Captain, Imperial Japanese Navy, Tamura, Eiji.

3. Q. If you recognize the accused, state their names and ranks.

A. Captain Iwanami; the fourth person in the first row, Lieutenant Asamura (I came to know him after the end of the war). That is all.

4. Q. Do you recall attending a staff meeting of the Fourth Fleet sometime in September or October of 1944?

This question was objected to by the accused on the ground that it was irrelevant and immaterial.

The judge advocate replied.

The commission announced that the objection was not sustained.

A. Yes.

5. Q. Who was present at that staff conference?

A. As I recall now, the staff of the Fourth Fleet and the various department heads were assembled there.

6. Q. Is there anyone present here in this room that attended that conference with you?

A. Captain Iwanami.

7. Q. Were reports made at this conference by the various department heads?

A. Yes.

8. Q. Did Captain Iwanami make a report at this conference?

A. Yes.

9. Q. Tell the commission what Captain Iwanami said.

This question was objected to by the accused on the ground that it called for a hearsay answer.

The judge advocate replied.

The commission announced that the objection was not sustained.

A. On this day, Captain Iwanami reported on two items. One, at this time just after the Saipan operations, the invasion of Saipan, it was presumed that Truk may be the next place that would be invaded. At the time when war preparations were of the first priority, each department was generally busy

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*James P. Kessing*  
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in training for land warfare installations or group air raid shelters and positions. At this time, Captain Harada made a report on the making of steel spears. After he had finished talking about the making of steel spears, Captain Iwanami spoke up and said: "We have just heard an explanation on the making of steel spears. When these steel spears were previously used at the Fourth Hospital, the handle of the spear bent; therefore, in the future in making these steel spears, the spears should be made thicker at the handles; and the spears bent at the handle, and, therefore, in the future the handle of the spear should be made thicker or else, I fear, to a great extent, they would not be practicable in actual battle." This was one item on which Captain Iwanami reported. The other was the training at the hospital, the condition of the patients, and also on malnutrition.

10. Q. When he said that they had used steel spears at the hospital which had bent, did he say on whom they had been used?

This question was objected to by the accused on the ground that it was leading.

The judge advocate withdrew the question.

11. Q. I show you some papers. Are these papers in your own handwriting?

This question was objected to by the accused on the ground that the judge advocate was showing the witness some papers.

The judge advocate made no reply.

The commission reminded the counsel for the accused that this point had been ruled on numerous times, and that this was a proper question.

A. Yes.

12. Q. I direct your attention to a particular section of that and ask you if it refreshes your recollection?

A. It refreshes me.

13. Q. What did Captain Iwanami say in detail concerning the use of those spears at the Fourth Fleet Hospital?

A. When he explained this, he made motions with his hands showing the place in front of the left hand where the spear would bend. Other to this, I do not remember.

14. Q. This paper which is in your own handwriting, are the statements written therein true?

A. Yes.

15. Q. Read to the commission what you have there.

The commission reminded the judge advocate that this procedure was improper.

The judge advocate withdrew the question.

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James P. Keany  
Lieutenant, U. S. Navy,  
Judge Advocate.

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16. Q. Does this paper refresh your recollection?

A. Yes.

17. Q. Now, will you tell this commission in detail what Captain Iwanami said about the use of spears at the Fourth Naval Hospital?

A. He stated previously when a prisoner was stabbed at the Fourth Hospital, because the spear was too thin, it bent; therefore, in the future when the spears are to be made, the handle should be made thicker so that they will not bend and will be of use in actual battle.

The commission then, at 3:08 p. m., took a recess until 3:30 p. m., at which time it reconvened.

Presents: All the members, the judge advocates, the reporter, the accused, their counsel, and the interpreters.

No witnesses not otherwise connected with the trial were present.

Tamura, Eiji, the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

Cross-examined by the accused:

18. Q. You testified that at the staff meeting at the Fourth Fleet, Captain Iwanami reported on (1) the conditions of the hospital; (2) a report on spears. Think back and tell us whether this statement that Captain Iwanami made about the spears was made at a regular meeting of the staff.

A. Previously in this question, the words staff meeting were stated, but it was not a staff meeting, but a meeting of the heads of the various departments. As I stated before, it was not necessary for Captain Iwanami to make this report on the spears, but when he made this statement he stated, "For your reference." Concerning the report on the making of spears and war preparations was one of the important items which were reported on during this meeting. The main questions in this meeting were the battle preparations and also the development of self-supporting measures.

19. Q. You stated that one of the important items at this meeting was battle preparations. Do you know if a fleet order was put out to the meaning that each unit should take measures for its own defense?

A. I will have to explain this in answering, but at this time I was the staff officer of the Twenty-second Air Force and was not under the command of the Fourth Fleet. I was at this meeting just as an observer, just to see what was going on at the Fourth Fleet.

20. Q. A person in the capacity of a staff officer, I believe, should know about what orders were put out by the Fourth Fleet, or did you forget about these orders?

This question was objected to by the judge advocate on the ground that it was beyond the scope of the direct examination.

The accused replied,

The commission announced that the objection was sustained.

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James P. Kenney,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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21. Q. Are you still a captain in the navy or have you been demobilized?  
A. I have not yet been demobilized.

Neither the judge advocate nor the accused desired further to examine this witness.

The commission did not desire to examine this witness.

The witness said that he had nothing further to state.

The witness was duly warned and withdrew.

The commission then, at <sup>cx</sup> 3:45 p. m. adjourned until 9 a. m., tomorrow, Friday, July 11, 1947.

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James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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**SIXTEENTH DAY**

United States Pacific Fleet,  
Commander Marianas,  
Guam, Marianas Islands.  
Friday, July 11, 1947.

The commission met at 9 a.m.

Present:

Rear Admiral Arthur G. Robinson, U. S. Navy,  
Lieutenant Colonel Henry K. Roscoe, Coast Artillery Corps, United States  
Army,  
Lieutenant Colonel Victor J. Garbarino, Coast Artillery Corps, United  
States Army,  
Lieutenant Colonel William E. Lamm, junior, U. S. Marine Corps,  
Lieutenant Commander Bradner W. Lee, junior, U. S. Naval Reserve,  
members, and  
Lieutenant Commander Joseph A. Regan, U. S. Navy, and  
Lieutenant James P. Kenny, U. S. Navy, judge advocates.  
Robert R. Miller, yeoman first class, U. S. Navy, reporter.  
The accused, their counsel, and the interpreters.

The record of proceedings of the fifteenth day of the trial was read and  
approved.

No witnesses not otherwise connected with the trial were present.

A witness for the prosecution entered and was duly sworn.

Examined by the judge advocates:

1. Q. State your name and former rank.  
A. Rear Admiral Sumikawa, Michio, I am now a disgraced military person.
2. Q. If you recognize any of the accused state their names and ranks.  
A. The person whom I know very well, Captain Iwanami, other persons whom  
I have just met and do not know very well are Lieutenant Commander Kanikawa,  
Lieutenant Asamura, Warrant Officer Hama and Chief Petty Officer Kawashima.  
That is all. I know Asamura well because he was in charge of a working  
party on Moen Island and he did very well in that job. Warrant Officer  
Hama I met at the Truk stockade. Chief Petty Officer Kawashima I know  
because I questioned him concerning the January incident at the hospital.
3. Q. In September 1945 what were your duties?  
A. I was chief of staff of the Fourth Fleet.
4. Q. In September 1945 did you have a conversation with any of these  
accused?  
A. Yes.

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James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

5. Q. With whom did you have this conversation?  
A. Captain Iwanami.

6. Q. With all the detail that you can remember tell us what you said to Iwanami and what Iwanami said to you.

This question was objected to by the accused on the ground that it was prejudicial to the rights of the accused.

The judge advocate replied.

The commission announced that the objection was not sustained.

A. It was around the thirtieth of September, there may be a difference of one or two days, when Captain Iwanami came to my quarters; at that time I was in the garden back of my quarters, and Captain Iwanami said to me, "I have a request to make of you." This conversation was made standing. Captain Iwanami said, "Up to this time I have kept this from you, but on the hill back of the hospital there are four buried bodies and I would like to dig them up so I request the help of some men from the Forty-first Naval Guard Unit." I said, "This is the first time I have heard of this and at this date when the report has already been made to the American forces if such a thing would come to light it would involve many difficulties." I asked him what kind of bodies these were, but Captain Iwanami did not want to speak about the bodies and I did not say anything about them. As this was a standing conversation and Iwanami was very much in a hurry to dig up the bodies I did not ask him further about what had happened to these bodies and also before this Iwanami had stated that he was going to the commanding officer of the Forty-first Naval Guard Unit and ask him for this help but he would also like me to telephone the commanding officer about this so I said, "All right, I will telephone for you." I stated further, "You are sure there are no other buried bodies"; and he said, "There are no others."

7. Q. In this conversation that you had with Iwanami was anything said about the nationality of these bodies?

This question was objected to by the accused on the ground that it was leading.

The judge advocate made no reply.

The commission announced that the objection was not sustained.

A. He stated that they were American prisoners.

8. Q. In this conversation with Iwanami was anything said about why it was necessary to dig up these bodies?

This question was objected to by the accused on the ground that it was leading.

The judge advocate made no reply.

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James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

The commission announced that the objection was not sustained.

A. Yes, there was.

9. Q. Tell us about it.

A. He stated, "Up to now I had thought that no American authorities would find out about these buried bodies but recently it seems as if it has leaked out through the natives to the American forces about these buried bodies, therefore I would like to dig them up as quickly as possible."

10. Q. Is that the entire conversation as you remember it?

A. As I remember after this conversation Iwanami went to the commanding officer of the Forty-first Naval Guard Unit and as I remember I later heard a report from Iwanami that his request had been rejected by the commanding officer of the Forty-first Naval Guard Unit and that Iwanami had dug the bodies up with the personnel of the hospital.

11. Q. Who was the commanding officer of the Forty-first Naval Guard Unit?

A. Rear Admiral Asano.

Cross-examined by the accused:

12. Q. What makes you say that Captain Iwanami did not want to speak of this?

A. I think it was because he did not want to let even us know what actually occurred in this incident.

Neither the judge advocate nor the accused desired further to examine this witness.

The commission did not desire to examine this witness.

The witness said that he had nothing further to state.

The witness was duly warned and withdrew.

A witness for the prosecution entered and was duly sworn.

Examined by the judge advocate:

1. Q. State your name and former rank.

A. Yamagishi, Michio, corpsman petty officer second class.

2. Q. If you recognize any of the accused state their names and ranks.

A. The witness correctly identified all of the accused by name and by rank with the exception of the accused, Asamura, Shunpei.

3. Q. Did you ever serve at Truk Atoll?

A. Yes.

4. Q. Where at Truk did you serve?

A. The Fourth Naval Hospital.

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*James P. Kelly*  
James P. Kelly  
Lieutenant, U. S. Navy  
Judge Advocate

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5. Q. Between what dates were you attached to the Fourth Naval Hospital?

A. From 7 December 1943 until the end of the war.

6. Q. Did you ever see any prisoners of war at the hospital?

A. Yes.

7. Q. When was this?

A. In July 1944.

8. Q. Do you remember the date exactly?

A. I do not remember.

9. Q. Where did you see them?

A. At the hill at the hospital.

10. Q. How did you happen to go up that hill?

A. When the order for a general assembly was called out.

11. Q. What happened then?

A. When I heard this order I was going to the assembly but as I stopped at the head on the way I became late and I went to the general assembly. On the way I met Chief Petty Officer Yoshizawa, he said, "Where are you going?" I told him that a general assembly had been called and I was going there, Yoshizawa said to me, "The others will also be along so I want you to go to the senior petty officers' quarters and pick up my sword and bring it to the hill in back of the hospital." I ran to the senior petty officers' room in the administration building and on the way I met a group of men from the hospital marching by, I picked up the sword of the Senior Petty Officer Yoshizawa and taking the sword I went back the road I had just come.

12. Q. What happened then?

A. I went to the top of the hill and handed Yoshizawa the sword.

13. Q. When you got on top of that hill what did you see?

A. On the hill I saw two tied prisoners and in front of them about ten petty officers formed in two lines who were armed and in back of them were a large number of spectators and I went there and entered the group.

14. Q. What happened then?

A. Shortly after this Iwanami came out in front of this group of armed persons and excitedly made a speech, I do not remember the contents of that speech.

15. Q. What happened then?

A. Shortly the speech was over and the stabbing stage began. From the time of the speech of the head of the hospital I did not have the courage to see what was going to occur so, as I was at the back of the crowd of spectators, I stepped back a few feet down the slope of the hill.

16. Q. Go ahead.

A. What recollection I have of the persons in the armed group was Kuma at the head of the left line facing the prisoners and Yoshizawa who was to the front and to the right.

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*James P. Kenna*  
James P. Kenna  
Lieutenant, U.S. Navy  
Judge Advocate

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17. Q. You said you saw two rows of men armed with bayonets and spears. Can you tell us the names of the men in those two rows?

This question was objected to by the accused on the ground that the judge advocate was misquoting the witness.

The judge advocate withdrew the question.

18. Q. What were these petty officers armed with?  
A. Bayonets and steel spears.

19. Q. Can you give us the names of those men who were armed with bayonets and spears?  
A. I remember Warrant Officer Komma whom I just stated.

20. Q. Do you remember any of the others?  
A. I do not remember.

21. Q. At any time did you ever have a conversation with any of these accused concerning that incident?  
A. No.

Cross-examined by the accused:

22. Q. What was your station in July 1944 at the hospital?  
A. I was attached to the second surgical ward.

23. Q. What time was it when this general assembly was called?  
A. I do not remember the time, it was in the afternoon.

24. Q. Where were you at this time?  
A. I was in the head.

25. Q. From whom did you hear this order of general assembly?  
A. I do not remember, I just heard the voice calling out this order.

26. Q. What kind of an order was this?  
A. I remember the words "general assembly."

27. Q. After you heard this order where did you go?  
A. Naturally to the front of the administration building.

28. Q. As you were late were you the only one going there?  
A. Yes.

29. Q. When you say you met up with Yoshizawa on the way, do you mean on the way to the administration building?  
A. It was between the officers' quarters and the top of the hill where the incident occurred.

30. Q. You testified that naturally you were going to assemble in front of the administration building, how was it that you met Yoshizawa on the way up to the top of the hill?

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*James T. Kenney*  
James T. Kenney,  
Lieutenant, U.S. Navy,  
Judge Advocate.

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A. I was in the head which was located at the hospital ward as I came out and was going to the assembly the roads come together, the road leading up to the top of the hill.

31. Q. I believe the witness has misunderstood the question. The witness stated that he went to the front of the administration building when he heard this, but I am not asking him about the roads, I am asking him how he came to be going to the top of the hill.

A. On the way I met Senior Petty Officer Yoshisawa and Yoshisawa said to me to get his sword and to come to the top of the hill.

32. Q. Then according to the orders of Yoshisawa did you understand that general assembly to be at the top of the hill?

A. Yes, as I remember I stated before.

33. Q. I would like you to answer my question.

A. When Yoshisawa told me to bring his sword he also stated that seamen of the hospital who were at the administration building would also be coming this way.

34. Q. When you met Yoshisawa how was he dressed?

A. I do not know what kind of clothing he was wearing.

35. Q. Did he have a shirt on?

A. As I recall he did, I think he had a shirt on.

36. Q. On the way to get Yoshisawa's sword you stated that you met up with a group of seamen from the hospital marching by. How many were in this group?

A. I do not remember the number.

37. Q. Approximately how many persons do you remember as being in that group?

A. As I recall about fifty to sixty, but this is not definite.

38. Q. Were they four abreast or what kind of formation was it?

A. As I recall it was a four man column but this also is not definite.

39. Q. Was there anyone who was in charge of this group?

A. I do not remember.

40. Q. When you went to the senior petty officer's room at the administration building was there anyone assembled at the administration building?

A. I do not remember.

41. Q. Where is the senior petty officer's room located in this administration building?

A. It is the end room of the administration building to the left facing the entrance.

42. Q. Were you able to find the sword without any trouble?

A. Yes.

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*James P. Henry*  
James P. Henry  
Lieutenant, U. S. Navy

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43. Q. What was the position of the sword, where was it?

A. It was on the rack on which swords were placed, it was on a sword rack.

44. Q. What kind of a sword was this?

A. As I recall all I can remember is that it was a Japanese sword.

45. Q. Do you remember the kind of scabbard it had or what kind of handle it had?

A. I do not remember.

46. Q. You testified that you took this sword and you went up the hill and you handed it to Yoshizawa. Where was Yoshizawa's position at the scene in relation to the prisoners?

A. He was sideways to the right facing the prisoners.

47. Q. What was Yoshizawa doing at this time?

A. All I can remember is that he was standing there.

48. Q. You testified that when you went to the scene the prisoners were tied. Do you remember how the prisoners were tied?

A. There were two trees and between the trees was tied a cross-bar and the prisoners were tied to this cross-bar but I do not remember how they were tied to this cross-bar.

49. Q. Then you do not remember what they were tied with or whether their hands were tied behind their backs or whether they were tied in a sort of a cross.

A. They were tied with a rope but I do not remember if their hands were tied behind their backs or whether they were tied in a cross.

50. Q. You testified that there were a lot of spectators at that time. How many spectators were there?

A. Fifty to sixty spectators.

51. Q. Were they lined up or were they scattered irregularly?

A. They were grouped irregularly.

52. Q. Were there officers in this group of spectators?

A. Yes.

53. Q. Then were the officers and enlisted men grouped irregularly?

A. No.

54. Q. Tell us how the officers and enlisted men who were spectators were grouped.

A. Facing the prisoners toward the left were grouped the officers and some distance directly in front of the prisoners and also to the right of the prisoners were grouped the enlisted men.

55. Q. Even though the groups of enlisted men were grouped irregularly were the petty officers grouped close to the prisoners and the seamen grouped far from the prisoners?

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*James P. Henry*  
James P. Henry,  
Lieutenant, U.S. Navy,  
San Francisco.

Ex. 327

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A. Armed petty officers were standing in the middle of this "U" which was shaped by a group of officers to the left and the enlisted men to the right and to the rear.

56. Q. You testified that there were two lines of armed persons and that they were armed with spears and bayonets. Which line had spears and which line had bayonets?

A. As I remember the left line was mainly bayonets and the right line was mainly spears.

57. Q. You just testified that mainly they were spears or they were bayonets. Do you mean that all of the left line was not bayonets and all of the right line was not spears?

A. Yes.

58. Q. When you arrived at the scene was Iwanami already there?

A. Yes.

The commission then, at 10:20 a.m., took a recess until 10:47 a.m., at which time it reconvened.

Present: All the members, the judge advocates, the reporter, the accused, their counsel, and the interpreters.

No witnesses not otherwise connected with the trial were present.

Yamagishi, Michio, the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

(Cross-examination continued.)

59. Q. You testified that you entered the ranks of the spectators and you went to the rear. Where was your location in this square of spectators?

A. I was at the very rear of the spectators in front of the prisoners.

60. Q. You testified that the group was not in straight rows but grouped irregularly. Were there any persons in front of you?

A. There were many spectators in front of me.

61. Q. You testified that Iwanami was already present at the scene. Where was Iwanami's position?

A. Iwanami's position was close by the ranks of the officers and close by the prisoners.

62. Q. What was the approximate distance between yourself and the prisoners?

A. About fifteen meters.

63. Q. What was the distance between yourself and Captain Iwanami?

A. Eleven or twelve meters.

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*James P. Henry*  
James P. Henry  
Lieutenant, U. S. Navy  
Judge Advocate

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64. Q. Then you mean that ten armed people would be in the distance between yourself and the prisoners. Is this correct?

This question was objected to by the judge advocate on the ground that counsel was misquoting the witness.

The accused made no reply.

The commission announced that the objection was not sustained.

A. Yes.

65. Q. Were these ten persons lined up directly in front of the prisoners?

A. Yes.

66. Q. You testified that Iwanami went in front of these prisoners when he made this speech. Do you mean that Iwanami moved his position when he made this speech?

A. Yes.

67. Q. Was Iwanami holding something when he made this speech?

A. Yes, as I remember he had a walking stick.

68. Q. When Iwanami made this speech were the lines of spectators the same as before, irregular?

A. It was not in regular formation.

69. Q. Then is it correct that the persons did not stand at attention when listening to this speech of the head of the hospital?

A. As I remember no special order to stand at attention was given. But it is usual when receiving orders from a superior officer or when listening to a superior officer to stand at attention.

70. Q. Then do you mean by your answer that there was no order to stand at attention but everyone stood at attention when listening to this speech?

A. Yes.

71. Q. You testified that the head of the hospital made a speech but you did not know the contents of that speech. Do you mean that you do not know the contents now or that you did not hear the speech?

A. My recollection is in parts and as a whole would not be understandable so I stated that I do not know the contents of the speech. I remember fragments of that speech.

72. Q. Tell us these fragments that you remember of this speech.

A. "The American air force has unlawfully bombed the hospital therefore these prisoners are to be stabbed. The petty officers that have been selected to do it, do not think of them as being human beings but stab with all your might."

73. Q. You stated that Iwanami made this speech excitedly what did you perceive that made you think that he made this speech excitedly?

A. As I remember comparing his attitude at this time and his usual attitude I remember it being very excited.

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*James P. Henry*  
James P. Henry,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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74. Q. Is Iwanami usually a calm person?

This question was objected to by the judge advocate on the ground that it was irrelevant.

The accused made no reply.

The commission announced that the objection was sustained.

75. Q. You testified that Iwanami said, "Petty officers who have been selected." Do you know how they were selected?

A. I do not remember.

76. Q. You testified that Iwanami said in his speech that the American air force had unlawfully bombed the hospital. Did he also state that these prisoners were members of that air force?

A. Yes.

77. Q. You testified that you could not bear to see it enter the stabbing stage and you could not bear to see what was going to come after the speech so after the speech of the head of the hospital you stepped two or three steps to the rear down the ~~slope~~<sup>side</sup> of the hill. What did you understand this coming thing to be?

A. I judged this from the circumstances at that time.

78. Q. Is this all you can say?

A. That is all.

79. Q. How many meters away from this group did you step away?

A. One or two meters.

80. Q. When did you leave the scene of the execution?

A. As soon as the speech of the head of the hospital was over.

81. Q. What I mean is when you left the hill on which this incident occurred?

A. I left the hill together with everyone else when the order to fall out was given.

82. Q. Did you hear this order to fall out?

A. I do not remember.

83. Q. What were you doing <sup>during</sup> the time between the speech of the head of the hospital and the order to disperse?

A. I was trying my best not to see what was happening.

84. Q. Did you hear any sounds?

A. I did.

85. Q. Do you remember any sounds that you heard?

A. I have no remembrance of any particular sounds.

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*James P. Lenny*  
James P. Lenny,  
Lieutenant, U. S. Navy,  
Wagon A. 700406

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86. Q. You testified you saw Honna at the head of the left line and that you did not remember the others. How is it that you only remember Honna?  
A. Honna was our senior petty officer and he watched over us every day in the training and the usual routine and to us the low ranking seamen he was respected and feared.

87. Q. What points in Honna did you respect?

This question was objected to by the judge advocate on the ground that it was irrelevant.

The accused made no reply.

The commission announced that the objection was sustained.

88. Q. Were you given any duties that day?

A. No.

89. Q. Then did you have no knowledge about this incident before you went to the top of the hill?

A. Yes.

90. Q. You testified that you were stationed in the second surgical ward. Do you know of a training ground which is close by this ward?

A. There is none in the neighborhood of the second surgical ward.

91. Q. Is there any at a distance from a place which could be seen at the ward?

A. No.

92. Q. Is there any training ground which could be seen from the road leading to the hospital?

This question was objected to by the judge advocate on the ground that it was irrelevant and immaterial, and was beyond the scope of direct examination.

The accused replied.

The commission announced that the objection was sustained.

93. Q. You testified that you were to the rear of the spectators directly in front of the prisoners. Is the place on part of this hill? Does it slope down from there?

A. From where I was standing two meters to the rear it sloped down.

94. Q. Were there any spectators in back of you?

A. I do not remember.

95. Q. Did you notice that two rows of men from the paymaster were lined up in front of you?

A. Yes.

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*James P. Henry*  
James P. Henry,  
Lieutenant, U.S. Navy,  
Judge Advocate.

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96. Q. How many were there?  
A. I do not remember.

97. Q. Do you have any recollection that they were lined up in platoons?  
A. I do not remember.

98. Q. Have you any recollection that this group had been training and that they had rifles?  
A. As I am in a different section I do not know.

99. Q. Do you know many petty officers in the paymaster group?  
A. I know one or two of the senior petty officers.

100. Q. Do you remember if Watanabe and Sawada were in this group of paymasters?  
A. I do not remember.

101. Q. Do you remember if Warrant Officer Ota was in charge of this group?  
A. I do not remember.

102. Q. Do you remember if this group differed from the others which were lined up in straight lines?  
A. I do not remember.

103. Q. Do you know if anyone left this group of paymasters and entered the two lines of stabbers?  
A. I do not remember.

104. Q. How far away were you from the stabbers when you stepped down the hill?  
A. Seventeen to eighteen meters.

105. Q. Had the stabbing started when you stepped down the hill?  
A. No.

106. Q. Then you did not actually see Nomma stab?  
A. No.

107. Q. You did not actually see anyone stab?  
A. No.

108. Q. Was his sword of Yoshizawa's the regular chief petty officer sword that the senior chief petty officer carried?  
A. No.

109. Q. How was this sword different from the ordinary chief petty officer sword?  
A. Chief petty officers do not have swords.

110. Q. Did Iwanami say in his speech these prisoners are to be punished because they bombed the Truk hospital during daylight?  
A. Yes.

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*James M. Henry*  
James M. Henry,  
Lieutenant, U.S. Navy,  
Saigo & Associates.

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111. Q. Did Iwanami say these prisoners were to be punished for waging illegal warfare?

A. It is just as I stated before.

Reexamined by the judge advocate:

112. Q. You said in your cross-examination that you knew before you went up that hill what was going to happen on that hill. What did you know?

A. I did not say this, I did not know what was going to happen before I went up the hill.

Neither the judge advocate nor the accused desired further to examine this witness.

The commission did not desire to examine this witness.

The witness said that he had nothing further to state.

The witness was duly warned and withdrew.

The commission then, at 11:23 a.m., took a recess until 2 p.m., at which time it reconvened.

Present: All the members, the judge advocates, the accused, their counsel, and the interpreters.

Joseph Kase, junior, yeoman second class, U. S. Navy, reporter.

No witnesses not otherwise connected with the trial were present.

The judge advocate was called as a witness for the prosecution and was duly sworn.

Examined by the judge advocate:

1. Q. State your name, rank, and present station.

A. Joseph A. Regan, lieutenant commander, U. S. Navy, judge advocate of this military commission.

2. Q. If you recognize the accused, state as whom.

The witness correctly identified all of the accused by name, except Akabori, whose name he could not recall.

3. Q. Did you know one Ikaya, Kyoichi?

A. I did.

4. Q. Who was Ikaya, Kyoichi?

A. Ikaya, Kyoichi, was a Japanese who was to be a prosecution witness in this present trial.

5. Q. Do you know the present whereabouts of Ikaya, Kyoichi?

A. Ikaya, Kyoichi, is dead. He died on July second of this year.

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*Joseph A. Regan*  
Lieutenant, U. S. Navy,  
July 2, 1945.

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6. Q. Do you have in your possession any proof of the death of Ikeya, Kyoichi?

A. I have in my possession a certified copy of the death certificate of Ikeya, Kyoichi.

7. Q. By whom is that document certified?

A. It is certified by myself.

The death certificate was submitted to the accused and to the commission, and by the judge advocate offered in evidence.

Commander Martin E. Carlson, U. S. Naval Reserve, counsel for the accused made the following objection:

The defense objects to the document being received into evidence on the ground that it is not the best evidence. This is only certified to be a true copy, and we feel that in this case, unless some showing is made by the judge advocate as to the whereabouts of the original document, it should not be accepted into evidence.

The judge advocate requested permission to ascertain the whereabouts of the original document from the witness. The permission was granted.

8. Q. Do you know where the original certificate of death of Ikeya, Kyoichi, is?

A. I believe it is in the possession of the recorder of the board of investigation which is presently investigating the circumstances surrounding his death.

9. Q. Did you see this original death certificate?

A. I did.

The judge advocate made the following reply to the objection of the accused:

In reply to the objection of the defense counsel to the introduction of this document into evidence, we feel that the absence of the original of this death certificate has been satisfactorily explained by the witness, and can see no further objection to it being received into evidence.

Commander Martin E. Carlson, U. S. Naval Reserve, counsel for the accused made the following statement:

If it please the commission: Since the question and answer by the witness on the certificate have been given, we further object. This witness has stated that there is a board of investigation that is investigating into the cause of the death of this person. If the authority that convened this investigation saw fit to convene a board of investigation to investigate into the cause of the death of this person, certainly then this death certificate is not the best evidence.

The judge advocate replied.

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*James P. Kenney*  
James P. Kenney  
Lieutenant, U. S. Navy  
Judge Advocate

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The commission announced that the objection was not sustained, and that the document was received in evidence.

10. Q. We ask the witness to read the contents of the document which has just been received in evidence.

The witness read the death certificate of Ikeya, Kyoichi, certified copy appended marked "Exhibit 1."

An interpreter read the death certificate of Ikeya, Kyoichi, in Japanese.

Cross-examined by the accused:

11. Q. For what purpose is this death certificate introduced into evidence?  
A. This death certificate is introduced into evidence to prove the fact that Ikeya, Kyoichi, is dead.

12. Q. Is that fact material and relevant to the issues that are being tried here in this court?  
A. Ikeya, Kyoichi was an important witness, who was going to be produced in this court by the prosecution and the prosecution intends to produce into evidence a statement made by Ikeya, Kyoichi.

13. Q. In whose custody was the witness Ikeya?

This question was objected to by the judge advocate on the ground that it was irrelevant and immaterial.

The accused made no reply.

The commission announced that the objection was sustained.

Neither the judge advocate nor the accused desired further to examine this witness.

The commission did not desire to examine this witness.

The witness resumed his status as a judge advocate.

A witness for the prosecution entered and was duly sworn.

Examined by the judge advocate:

1. Q. State your name and present occupation.  
A. Frederick Savory, interpreter.

2. Q. If you recognize the accused, will you tell us their names and their ranks?  
A. Captain Iwanami, Lieutenant Commander Kanikawa, Lieutenant Oishi, Lieutenant Asamura, Lieutenant (junior grade) Sakagami, Ensign Yoshizawa, Ensign Nomura. I do not recognize the rest.

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*James P. Henry*  
Lieut. Comdr., U.S. Navy,  
San Francisco.

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3. Q. To what office are you presently attached?

A. I am attached to the legal department, Commander Marianas.

4. Q. Did you know an individual by the name of Ikeya, Kyoichi?

A. Yes, I did.

5. Q. When did you first meet him?

A. I first met Ikeya when he disembarked from a Japanese destroyer on Guam on the twenty-third of November, 1946.

6. Q. Where did Ikeya, Kyoichi, live?

A. Ikeya, Kyoichi lived in the witness camp within the war crimes stockade area.

7. Q. And where do you live?

A. I live in the same witness camp.

8. Q. I show you some papers and ask you if you recognize them.

A. Yes, I do.

9. Q. In whose handwriting are those papers?

A. This was written by Ikeya.

10. Q. How do you know that that was written by Ikeya?

A. Because Ikeya wrote this on the request of Lieutenant Commander Regan and submitted it to me.

11. Q. Do you remember when Ikeya gave you those papers?

A. Ikeya first gave me these papers some time in May 1947.

12. Q. And what did you do with the papers when you were given them?

A. I gave the papers to Lieutenant Commander Regan.

13. Q. Were they ever returned to you?

A. Yes, on or about the twenty-ninth of June, Lieutenant Commander Regan gave me these papers in order to have Ikeya reread his statement and sign it.

14. Q. And when these papers were returned to you, what did you do with them?

A. I called Ikeya into my room and imparted to him Lieutenant Commander Regan's request. I gave him the papers.

15. Q. To your knowledge, did Ikeya add anything to these papers this second time that you gave them to him?

A. Yes.

16. Q. What was added?

A. He added a statement that everything he had written in the statement is the truth.

Commander Martin E. Carlson, U. S. Naval Reserve, objected to the witness testifying from this document until it had been offered into evidence.

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*James P. Keary*  
James P. Keary,  
Lieutenant, U. S. Navy  
Judge, Court of Inquiry

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The judge advocate replied.

The commission announced that the objection was not sustained.

17. Q. Did you see who signed those papers?

A. Yes, I did. He signed them in my presence.

18. Q. Did he leave the papers with you?

A. Yes, he did.

19. Q. And what did you do with them?

A. I believe it was on the following day that I gave them to Lieutenant Commander Regan.

20. Q. Do you know the date that you gave them to me?

A. I believe it was on the second of July.

The statement of Ikeya, Kyoichi, in Japanese and an English translation thereof, was submitted to the accused and to the commission, and by the judge advocate was offered in evidence.

The accused requested an adjournment until tomorrow at 9 a.m., in order to prepare an objection to receiving this document into evidence.

The commission announced that the request was denied, but would allow a recess for the accused to prepare their objections.

The commission then, at 2:45 p.m., took a recess until 3:15 p.m., at which time it reconvened.

Present: All the members, the judge advocates, the reporter, the accused, their counsel, and the interpreters.

No witnesses not otherwise connected with the trial were present.

Frederick Savory, the witness under examination when the recess was taken, resumed his seat as a witness for the prosecution. He was warned that the oath previously taken was still binding, and continued his testimony.

(Examination continued.)

Mr. Kumata, Hideo, counsel for the accused read a written objection in Japanese to receiving this document into evidence, appended marked "S."

An interpreter read a written translation in English of the objection of Mr. Kumata to the receipt of this document into evidence, appended marked "T."

Commander Martin E. Carlson, U. S. Naval Reserve, counsel for the accused, read a written further objection to receiving this document into evidence, appended marked "U."

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*James P. Emery*  
James P. Emery,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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The accused waived the right to have the objection of Commander Carlson read in Japanese in open court at this time.

The judge advocate replied.

The commission announced that the objection was not sustained, and the document would be received into evidence.

21. Q. Will you read this statement?

The witness read the statement of Ikeya, Kyoichi, in English, appended marked "Exhibit 2."

An interpreter read the statement in Japanese, appended marked "Exhibit 3."

Cross-examined by the accused:

22. Q. You testified to the judge advocate about a document written by Ikeya and you testified that it was handed to you after it was written, upon the request of Commander Regan in May of this year. Were you present when this document was written?

A. No, I wasn't present.

23. Q. When this request was made by Commander Regan to Ikeya, did you interpret for him?

A. Yes, I did.

24. Q. When this request was made, what did Commander Regan say to him?  
A. Ikeya was questioned by Commander Regan regarding war crimes on Truk. Ikeya gave the commander a lot of information and the commander asked him if he would put it on paper, and Ikeya did so.

25. Q. Do you know where and when Ikeya wrote this statement?

A. Yes. Ikeya started to write the statement in my room, and then I asked him to take it to his own quarters and write it. However, I did not stand by while he wrote it.

26. Q. Did you give Ikeya any suggestions as to writing this document?

A. No.

27. Q. Did you read this document that Ikeya wrote?

A. No.

28. Q. Then you do not know what was written in that document?

A. I did not read the document, but I asked Ikeya to read it to me, and therefore, I remember a little of what was in it.

29. Q. Do you know at this time that the date that this statement was written and the regular signature of Ikeya wasn't on the document?

A. I checked that his name was on the document, but I did not check the date.

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*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate General's Office.

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30. Q. Do you know for what reason this statement was obtained?

A. I do not know.

31. Q. Did you know that this document was to be presented as evidence at a later date?

This question was objected to by the judge advocate on the ground that it was immaterial.

The accused replied.

The commission announced that the objection was sustained.

32. Q. In this first document, the date and the name were not signed in the regular places. Do you know where the dates and the names are to be signed when a document of this kind was made in Japanese?

A. I do not know.

33. Q. Can you read Japanese?

A. A little.

34. Q. When this document which was written in May was returned to you by Commander Regan and Ikeya was again asked in July to sign this document, what time of day was it?

A. To the best of my knowledge, it was about ten o'clock.

35. Q. At this time, how many hours was it before the death of Ikeya?

A. I cannot say because I do not know the time Ikeya died.

36. Q. When this document was given back to Ikeya for the second time, did you also relay what was wished to Ikeya from Commander Regan?

A. Yes.

37. Q. Tell us what Commander Regan said to Ikeya or what Commander Regan said to you and what you said to Ikeya.

A. Commander Regan asked me to have Ikeya reread his statement, and if Ikeya thought what he had written to be the truth, have him swear to the statement and sign it.

38. Q. This word "swear," is it the same as the oath that is taken in the court?

A. That I do not know. I only did as I was told.

39. Q. Then, there is no mistake that Commander Regan said, "Write down that this is the truth, to swear to the truth of this document"?

A. Yes.

40. Q. When taking an oath in court, it is taken before the commission. In this case, to whom did Ikeya take this oath?

A. I do not know.

41. Q. This document was written in May and then the document was again presented in July to have it signed. In May when this document was written it may not have been signed in the regular place, but it was signed. Did Commander Regan tell you why this document had to be signed again?

A. No.

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*James P. Henry*  
James P. Henry  
Lieutenant, U. S. Navy,  
Julgo 4, 1945.

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42. Q. Were you watching Ikaya when he wrote on this document the second time?

A. Yes.

43. Q. Were you close by?

A. Yes. On the same table.

44. Q. Have you ever acted as an interpreter in investigating the other witnesses?

This question was objected to by the judge advocate on the ground that it was irrelevant and immaterial.

The accused replied.

The commission announced that the objection was sustained.

45. Q. Were there any other cases in which a statement was written, presented to the judge advocate, and again returned?

A. Yes.

46. Q. For what reason was this done?

This question was objected to by the judge advocate on the ground that it was irrelevant and immaterial.

The accused replied.

The commission announced that the objection was sustained.

47. Q. Do you know how long Ikaya had been in confinement before he was questioned by Lieutenant Commander Regan?

This question was objected to by the judge advocate on the ground that it was irrelevant and immaterial.

The accused replied.

The commission announced that the objection was sustained.

48. Q. Do you know if Ikaya had ever been demobilized?

A. No. He had not been demobilized.

49. Q. Do you know where Ikaya came from when he arrived on Guam?

A. He came from Truk.

50. Q. Do you know if he had been held at the Truk stockade as a war crimes suspect?

This question was objected to by the judge advocate on the ground that it was irrelevant.

The accused made no reply.

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*James P. Kenney*  
James P. Kenney,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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The commission announced that the objection was sustained.

51. Q. Can you say that Ikaya had a sense of impending death when you say he wrote the statement in May, 1947?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness.

The accused made no reply.

The commission announced that the objection was sustained.

52. Q. Did Ikaya, at that time, in May of 1947, have a feeling that death was near at hand?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness.

The accused made no reply.

The commission announced that the objection was sustained.

53. Q. Can you say that in May of 1947 Ikaya had an undoubted belief that the finger of death was upon him?

This entire line of questioning was objected to by the judge advocate on the ground that it was irrelevant and immaterial.

The accused made no reply.

The commission announced that the objection was sustained.

54. Q. Was Ikaya reluctant to testify in this present case?  
A. I personally do not know.

55. Q. Was Ikaya free to go and come as he pleased in May of 1947 when he made and signed this statement the first time?

This question was objected to by the judge advocate on the ground that it was irrelevant.

The accused made no reply.

The commission announced that the objection was sustained.

56. Q. Do you know if Ikaya ever left the war crimes stockade since he arrived, except under guard?

This question was objected to by the judge advocate on the ground that it was irrelevant.

The accused made no reply.

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*James P. Kenny*  
James P. Kenny,  
Lieutenant, U.S. Navy,  
Judge Advocate.

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The commission announced that the objection was sustained.

Neither the judge advocate nor the accused desired further to examine this witness.

The commission did not desire to examine this witness.

The witness said that he had nothing further to state.

The witness resumed his seat as an official interpreter.

The judge advocate introduced Mr. Justo P. Aflague as a Trukese interpreter, and he was duly sworn.

A witness for the prosecution entered and was duly sworn.

1. Q. State your name.

A. My name is Rose Willis.

2. Q. Where do you live?

A. Truk.

3. Q. If you recognize any of the accused, tell us who they are.

A. The last one in the front row.

The witness pointed out the last man in the first row, the accused Sakagami, and identified him as "deck officer."

4. Q. Who is he?

A. He is the deck officer.

5. Q. By what name did you know him?

A. I do not know any other name except "deck officer."

6. Q. Did you work at the Fourth Naval Hospital on Dublon Island, Truk, during the war?

A. I did.

7. Q. Did you work there during the first few months of the year 1944?

A. Yes.

8. Q. While you were working at the hospital did you have a conversation with any of these accused concerning Americans?

A. Yes, the "deck officer."

9. Q. Tell us what was said in that conversation with the "deck officer"?

A. The "deck officer" told me that they have killed two Americans.

10. Q. Did he tell you how those Americans had been killed?

A. He didn't mention anything, just the explosions I heard, only the explosions, but he didn't mention anything about it.

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*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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11. Q. You say you heard an explosion. When you heard the explosions, with reference to the conversation with the "deck officer", was it before or after?

A. After the explosions, he came down and told me, "We have killed two Americans."

12. Q. Do you recall when this conversation took place?

A. I do not know the exact date. It was before the first raid at Truk.

The witness was duly warned.

The commission then, at 4:25 p.m., adjourned until 9 a.m., tomorrow, Saturday, July 12, 1947.

CERTIFIED TO BE A TRUE COPY:

*James P. Kenny*  
James P. Kenny,  
Lieutenant, U.S. Navy,  
Judge Advocate.

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SEVENTEENTH DAY

United States Pacific Fleet,  
Commander Marianas,  
Guam, Marianas Islands.  
Saturday, July 12, 1947.

The commission met at 9 a. m.

Present:

Rear Admiral Arthur G. Robinson, U. S. Navy,  
Lieutenant Colonel Henry K. Rescoe, Coast Artillery Corps, United States  
Army,  
Lieutenant Colonel Victor J. Garbarino, Coast Artillery Corps, United  
States Army,  
Lieutenant Colonel William K. Lanman, junior, U. S. Marine Corps,  
Lieutenant Commander Bradner W. Lee, junior, U. S. Naval Reserve,  
members, and  
Lieutenant Commander Joseph A. Regan, U. S. Navy, and  
Lieutenant James P. Kenny, U. S. Navy, judge advocates,  
Robert R. Miller, yeoman first class, U. S. Navy, reporter.  
The accused, their counsel, and the interpreters.

The record of proceedings of the sixteenth day of the trial was read and  
approved.

No witnesses not otherwise connected with the trial were present.

Rose Willis, the witness under examination when the adjournment was taken,  
entered. She was warned that the oath previously taken was still binding, and  
continued her testimony.

Cross-examined by the accused:

13. Q. What period of time did you work at the Truk Hospital?

A. In the year 1934. I forget the year.

14. Q. How many years before was it from this day?

A. I worked before the war.

15. Q. What kind of work were you doing?

This question was objected to by the judge advocate on the ground that it  
was irrelevant and beyond the scope of the direct examination.

The accused replied,

The commission announced that the objection was not sustained.

A. I am washing the linen.

CERTIFIED TO BE A TRUE COPY:  
*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

16. Q. You testified that this day you were told about the prisoners from the Deck Officer. What were you doing this day?  
A. I was cutting grass on the hill.

17. Q. Where is this hill?  
A. I do not know the exact name of the hill where I worked, but they told us to spend our day by cleaning around the yard.

18. Q. Is this a different place from where this explosion on the hill was heard?  
A. Yes.

19. Q. Tell us what buildings or what things were around the place that you were working.  
A. At the house of the Deck Officer.

20. Q. Were you the only one who was working then or was there anyone else?  
A. There was a girl by the name of Marisi.

21. Q. Were you the only two?  
A. Yes.

22. Q. What time of day was it?  
A. We start work at one p. m.

23. Q. What time was it when you had this conversation with the Deck Officer?  
A. Three p. m.

24. Q. What was the Deck Officer doing at this time?  
A. He ordered us not to go above the hill where the explosion was on account of that they have already killed several Americans.

25. Q. Did the Deck Officer tell this to you or did you overhear this when he was telling someone else?  
A. He personally told me.

Neither the judge advocate nor the accused desired further to examine this witness.

The commission did not desire to examine this witness.

The witness said that she had nothing further to state.

The witness was duly warned and withdrew.

A witness for the prosecution entered and was duly sworn.

Examined by the judge advocate:

1. Q. State your full name.  
A. Marisi Macurik.

2. Q. Where do you live?  
A. At Truk.

CERTIFIED TO BE A TRUE COPY  
*James P. Kenny*  
James P. Kenny  
Lieutenant, U. S. Navy  
Judge Advocate

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3. Q. If you recognize any of these accused, tell us their names.

A. Over there, his name is Deck Officer. The witness indicated the last person sitting in the first row, the accused Sakagami.

4. Q. Did you work at the Fourth Naval Hospital on Dublin Island during the early months of 1944?

A. Yes.

5. Q. During that period did you have a conversation with any of these accused concerning Americans?

A. Yes.

6. Q. With which of the accused did you have that conversation?

A. The Deck Officer.

7. Q. Where were you when you had this conversation?

A. At the Deck Officer's house.

8. Q. What were you doing there?

A. They told us to go up there that day to clean around the yard.

9. Q. Who was with you?

A. I am with Reese.

10. Q. Tell us what was said in that conversation by yourself and by the Deck Officer.

A. While we were at his house he told us that they killed two Americans.

11. Q. Did he indicate where these Americans had been killed?

A. No, he did not mention anything.

12. Q. Did anything else unusual happen on that day?

A. Yes. I heard the explosion of the dynamite.

13. Q. Can you tell us from what direction the noise of that explosion came?

A. Right above the house where I was at that time.

14. Q. Where in the house in relation to the hospital?

A. Not very far apart.

Cross-examined by the accused:

15. Q. Do you understand Japanese?

A. A little.

16. Q. When you spoke to the Deck Officer did you speak in Trukese or in Japanese?

A. Japanese.

17. Q. Did you understand the Deck Officer?

A. I did.

18. Q. Do you understand what I am saying?

A. I do.

CERTIFIED TO BE A TRUE COPY:  
*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

040

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19. Q. Did you know that at this time they were using dynamite in construction projects at the hospital?

A. No, because after the explosion, the Deck Officer came down and said that they had killed two Americans.

20. Q. Was this the only time you heard the sound of explosions or did you hear them frequently?

A. Yes, before I heard.

21. Q. When you had this conversation with the Deck Officer was Rose with you?

A. Yes.

22. Q. Was there anyone else?

A. Rose and myself only.

23. Q. What time was this?

A. About three o'clock.

Neither the judge advocate nor the accused desired further to examine this witness.

The commission did not desire to examine this witness.

The witness said that she had nothing further to state.

The witness was duly warned and withdrew.

A witness for the prosecution entered and was duly sworn.

Examined by the judge advocate:

1. Q. State your name.

A. Hesenibik Sanichi.

2. Q. Where do you live?

A. I live at Uman.

3. Q. Is that in Truk Atoll?

A. Yes.

4. Q. If you recognize any of these accused state who they are.

A. The last person in the first row is the Deck Officer. The witness indicated the accused Sakagami.

5. Q. Do you recognize any of the others?

A. Henna, I do not know their names but I do recognize their faces.

6. Q. Were you employed at the Fourth Naval Hospital on Truk during the entire year of 1944?

A. Yes.

CERTIFIED TO BE A TRUE COPY:  
*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

7. Q. While you were employed there were you ever given an assignment to bury some dead bodies?

This question was objected to by the accused on the ground that it was leading.

The judge advocate replied.

The commission announced that the objection was not sustained.

A. Yes.

8. Q. Who assigned you this job?

A. The Deck Officer.

9. Q. What did he tell you when he gave you the duties?

A. They told us to carry the bodies and bury them up on top of the hill.

10. Q. How many bodies were there?

A. Four.

11. Q. Where were the bodies when you first saw them?

A. In the morgue at the naval hospital.

12. Q. Describe what the bodies looked like?

A. One of them had black and three of them had brown hair and all four of them had their stomach cut open.

13. Q. What was the color of their skin?

A. The color of their skin is black.

14. Q. Did the Deck Officer tell you whose bodies these were?

A. He did not mention to us anything but we just recognized that they were Americans.

15. Q. How were you able to recognize that they were Americans.

A. I figured they were all Americans because they were different from the Japanese and they had white complexions.

16. Q. After you left the morgue what did you do with these bodies?

A. We put their bodies on the stretcher and carried them up the hill.

17. Q. What did you do when you got to the top of the hill?

A. After we got on top of the hill, we put the stretchers down and we dug two holes and put two in each of them.

18. Q. Why did you dig these holes?

A. Ordered by the Deck Officer to dig holes for them.

19. Q. Were the holes you dug on top of the hill?

A. On the hill.

20. Q. After the holes were dug, what did you do then?

A. After we buried these bodies, we went back to the Deck Officer's area.

CERTIFIED TO BE A TRUE COPY:  
*James P. Henry*  
James P. Henry,  
Lieutenant, U. S. Navy,  
Judge Advocate.

21. Q. After you had buried the bodies did the Deck Officer say anything?  
A. After we buried the prisoners we went down to the Deck Officer's area and the Deck Officer himself gave us some salt to wash our hands and then we went and took a bath and retired.
22. Q. Who assisted you in the burial of these bodies?  
A. Myself, Obet, Namio, Takeo, Soichi, Tawamashi.
23. Q. Can you tell us when this burial took place?  
A. I do not know what year, but it was before the first raid at Truk.
24. Q. Following this burial incident, did you, during the war, see any other white men on Truk?  
A. I heard mention of two.
25. Q. Did you see these two white men?  
A. I did not see them.
26. Q. Did you witness an incident that occurred on the top of the hill in back of the hospital?  
A. I saw two Americans were stabbed by them.
27. Q. Where were you when you saw this?  
A. I was on top of a coconut tree.
28. Q. How did you happen to climb that tree that day?  
A. Because I saw them when they marched the prisoners up the hill.
29. Q. How many prisoners did you see marched up the hill?  
A. Two.
30. Q. Do you recognize any of these accused as being present with the two when they were marched up the hill?  
A. The Deck Officer.
31. Q. Could you see what was going on on top of the hill while you were on top of the tree?  
A. Yes.
32. Q. Tell us what you saw.  
A. While I was on top of the tree I saw them. They put the two posts, then they put a bar between them and then they hoisted these Americans about one foot from the ground.
33. Q. What else did you see?  
A. Twelve sentries were lined up and on the first line was the man by the name of Emma.
34. Q. Were these twelve men carrying anything?  
A. They had with them rifles on which the bayonets are already on the point of the gun.
35. Q. Other than Emma, can you recognize any of these other accused as being in those two lines?  
A. I do not recognize their faces, but I do not know their names.

CERTIFIED TO BE A TRUE COPY:

*James P. Kenney*  
James P. Kenney,  
Lieutenant, U.S. Navy,  
Julgo A. Ruonto.

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36. Q. Will you point out the ones whose faces you recognize as being in that line?

The witness pointed out the accused Homma, Yoshizawa, Tanaka, Sawada, Tsutsui, Takashi, Kawabara and Mukai and stated that is all that he could remember.

37. Q. Can you recognize any of these other people as being on the hill?  
A. No.

38. Q. What did you see these men do who were lined up in front of the prisoners?  
A. They stabbed them.

39. Q. Did everybody in the lines stab?  
A. Everyone of them.

40. Q. Did they say anything as they stabbed the prisoners?  
A. After all twelve of them stabbed the two prisoners, the man by the name of Homma gave an order for two of them to take their swords out. Homma is the man who gave the command before they stabbed these two prisoners.

41. Q. After Homma gave this order that you have just referred to, what happened?  
A. I did not stay there until the very last because I was only interested in what they did to these two Americans and when I saw them kill them, I came down from the tree.

42. Q. Can you tell us when this incident took place?  
A. After the first raid.

The commission then, at 10:25 a. m., took a recess until 10:40 a. m., at which time it reconvened.

Present: All the members, the judge advocates, the reporter, the accused, their counsel, and the interpreters.

No witnesses not otherwise connected with the trial were present.

Mesenbik Sanichi, the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

Cross-examined by the accused:

43. Q. The witness testified that he was up in a coconut tree looking at the scene. Where was this coconut tree located?  
A. On this side, further this side, further this side from where the execution occurred.

44. Q. How far away was it?  
A. It is not very far apart.

CERTIFIED TO BE A TRUE COPY:  
*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

45. Q. Were you not seen by any Japanese officers or men while you were up in that tree?

A. I was not seen by anyone.

46. Q. Were you in a position where you could not be seen?

A. Yes.

47. Q. I think it is quite a distance from the scene. Could you give me the approximate distance?

A. To the best of my knowledge, it is about twenty meters.

48. Q. How long is a meter?

A. From my foot to my waist [indicating a distance of about three feet].

49. Q. How far is the distance from where you are up to the wall?

A. I cannot mention the exact meters distance.

50. Q. I will state again: Is it true that you were in the position where the Japanese soldiers could not see you?

A. Yes.

51. Q. You have given the names and in some instances specified the persons that were in the line. Were you working with these persons?

A. I do not work with them, but only the Deck Officer, he is our head boss. He is in charge of all the natives.

52. Q. Did you know the names and the faces of the persons you just named and specified that were in the line?

A. I do recognize their faces, but I do not know their names.

53. Q. Did you know their names or faces while you were working at the hospital?

A. Yes, I did.

54. Q. You identified certain persons this morning, but did you specify all the persons that you knew at the hospital?

A. I did.

55. Q. Then you just specified the persons whom you knew, and even though you did not see them on the scene you specified them anyhow?

This question was objected to by the judge advocate on the ground that it was vague.

The accused made no reply.

The commission announced that the objection was sustained.

56. Q. Does the witness remember definitely what took place at the scene?

A. Yes.

57. Q. Could you tell me what took place?

A. While I was on the top of the tree, I saw them hand these two Americans.

CERTIFIED TO BE A TRUE COPY:

*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Chicago & Associates.

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58. Q. Do you know what person did what?

A. I do not know the persons who hung them, but I do recognize all the persons that did the stabbing.

59. Q. Tell me the persons you know who stabbed.

A. Yes.

60. Q. Tell me what persons stabbed how.

A. I recognize all the faces.

61. Q. How did they stab?

A. They just stabbed this way. *The witness indicated an upward thrust.*

62. Q. With what did they stab?

A. With a gun with a bayonet on the point.

63. Q. Is that all?

A. That is all.

64. Q. Did all stab with the same weapon?

A. Each one of them had the same weapon.

65. Q. The persons who stabbed, how many columns were there?

A. Two columns.

66. Q. Did all the persons in both lines have only gun and bayonet?

A. All the have is a gun and bayonet.

67. Q. How many persons stabbed at one time?

A. They were in two columns, six in one column stabbed one of them and then the other column also six all together do the stabbing on the other side.

68. Q. Did all of them stab at once or one by one?

A. One by one.

69. Q. They were in two lines, but only one stabbed at a time?

A. The six on this line they were one at a time on one American and on the other American, they were six in the line and also one by one.

70. Q. Was that at the same time? Did they go out and stab at the same time or alternately?

A. They just do it at the same time on both columns.

71. Q. The persons who stabbed, what did they do after they stabbed?

A. After they do the stabbing on this American, they turned back up to where the line is.

72. Q. What did they do with the weapon they had?

A. Just hold it on his arm.

73. Q. Did they give it to the next person?

A. No.

CERTIFIED TO BE A TRUE COPY:

*James P. Loney*  
James P. Loney,  
Lieutenant, U. S. Navy,  
Judge Advocate  
U. S. Navy.

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74. Q. After the person stabbed, to what location did he come back?  
A. The first column, the one doing the first stabbing he will come back right on the same line and the next one will follow him. Coming back he did not come on the same line it was a line next to the line where he was before.

75. Q. Then, after everyone stabbed, the two lines were still there?  
A. Yes, they come back on the same line where they started in the beginning. When everyone finished stabbing, they come back in the same place, but just a different line.

76. Q. After the persons in these two columns had all stabbed, what happened?  
A. After that I could not testify because after they did all the stabbing, I came down from the coconut tree and went away.

77. Q. Was the witness looking at the prisoner when they were stabbed?  
A. Yes, I am looking at him.

78. Q. After the prisoners were stabbed, what happened to the prisoner?  
A. I do not know what they did with the prisoners later because I came down from the tree and went away.

79. Q. I am asking after one person stabbed each prisoner what happened to the prisoner?  
A. The first one that did the stabbing, the prisoner seemed to yell.

80. Q. Other than this, what did you see?  
A. He also yelled the second time.

81. Q. You have testified that when the first person stabbed the prisoner yelled. Which one of the prisoners was the one that yelled?  
A. In the beginning both of the sentries marched toward the two prisoners and did the stabbing, and both prisoners yelled at the same time.

82. Q. When the prisoners were stabbed the first time, you testified that they yelled, but did you notice anything else about the prisoners?  
A. All I have seen while there was I saw the prisoner moving around and saw the blood coming from his body.

83. Q. Were both of them the same way?  
A. Yes.

84. Q. Where were the prisoners stabbed?  
A. Right on this point indicating mid-chest.

85. Q. Were both prisoners stabbed in the same place?  
A. In the same place.

86. Q. Did both prisoners bleed?  
A. Yes.

87. Q. When the prisoners were stabbed the second time, did both prisoners yell?  
A. Yes, they both yelled the second time.

IDENTIFIED TO BE A TRUE COPY:

*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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88. Q. Where did they stab the second time?  
A. On the same place.

89. Q. Were both prisoners stabbed in the same place?  
A. Yes.

90. Q. Where were they stabbed the third time?  
A. All were on the same place.

91. Q. Did you hear them yell the third time?  
A. They did not yell as loud as in the beginning, but one of them was practically out of ~~frags~~ and one of them only sounded a little.

92. Q. Which side let out the yell the third time?  
A. On the left hand side.

93. Q. Did you hear the prisoner yell the fourth time?  
A. On the fourth bayoneting none of them yelled, but it seemed their bodies still moved around.

94. Q. Did you see where they were stabbed the fourth time?  
A. To the best of my knowledge, right on the same place ~~indicating mid-chest~~.

95. Q. Did you hear them yell the fifth time?  
A. On the fifth time, no yelling, and their bodies still moved and I do not know whether they were still alive or just moved on account of the stabbing.

96. Q. Do you know where they were stabbed the fifth time?  
A. On the same place.

97. Q. Both prisoners, the same place?  
A. Yes.

98. Q. Did they stab the same place the sixth time?  
A. The same place.

99. Q. Both prisoners the same place?  
A. Yes.

100. Q. Did you not see the prisoner put his head down after he was stabbed?  
A. Yes, his head fell down.

101. Q. Did this happen the first time they were stabbed?  
A. Their heads did not fall down on the first time.

102. Q. When did their heads fall down?  
A. One of them on the second stab his head fell down and the other one the third time.

103. Q. Could the witness draw a diagram of where the tree was in relation to where the prisoners were tied?  
A. Yes.

CERTIFIED TO BE A TRUE COPY:

*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
San Diego, California.

353-a

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next page numbered 354

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The witness drew a diagram to clarify his testimony and it was submitted to the judge advocates and the commission for information.

104. Q. Were you on top of this tree in this position?  
A. Yes, I was on top of this tree.

105. Q. Could you show in this diagram where the other Japanese personnel were? Other Japanese than the sentries?  
A. Well, I do not know any other personnel but the sentries that I saw in that area.

The witness was duly warned.

The commission then, at 11:25 a. m., adjourned until 9 a. m., Monday, July 14, 1947.

CERTIFIED TO BE A TRUE COPY:

*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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0980

The witness drew a diagram to clarify his testimony and it was submitted to the judge advocates and the commission for information.

104. Q. Were you on top of this tree in this position?

A. Yes, I was on top of this tree.

105. Q. Could you show in this diagram where the other Japanese personnel were? Other Japanese than the sentries?

A. Well, I do not know any other personnel but the sentries that I saw in that area.

The witness was duly warned.

The commission then, at 11:25 a. m., adjourned until 9 a. m., Monday, July 14, 1947.

CERTIFIED TO BE A TRUE COPY:

*James P. Long*  
James P. Long,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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0981

EIGHTEENTH DAY

United States Pacific Fleet,  
Commander Marianas,  
Guam, Marianas Islands.  
Monday, July 14, 1947.

The commission met at 9 a.m.

Present:

Rear Admiral Arthur G. Robinson, U. S. Navy,  
Lieutenant Colonel Henry K. Rosece, Coast Artillery Corps, United States  
Army,  
Lieutenant Colonel Victor J. Garbarino, Coast Artillery Corps, United  
States Army,  
Lieutenant Colonel William K. Lanman, junior, U. S. Marine Corps,  
Lieutenant Commander Bradner W. Lee, junior, U. S. Naval Reserve,  
members, and  
Lieutenant Commander Joseph A. Regan, U. S. Navy, and  
Lieutenant James P. Kenny, U. S. Navy, judge advocates.  
Robert R. Miller, yeoman first class, U. S. Navy, reporter.  
The accused, their counsel, and the interpreters.

The record of proceedings of the seventeenth day of the trial was read  
and approved.

No witnesses not otherwise connected with the trial were present.

Sanichi, Hesenibik, the witness under examination when the adjournment  
was taken, entered. He was warned that the oath previously taken was still  
binding, and continued his testimony.

(Cross-examination continued.)

106. Q. You were asked if you had been working at the hospital in 1944  
and you testified that you had. Through what period of time did you work  
at the Fourth Naval Hospital?

A. Approximately about two years that I worked with them.

107. Q. From what year to what year?

A. To the best of my knowledge I started work with them in the year 1944  
until the year 1945.

108. Q. What month in 1944 did you enter the Fourth Naval Hospital?

A. I do not remember.

109. Q. Do you know when the first air raid on Truk was?

A. I do not remember the year but I do remember the month.

110. Q. What month is that?

A. February 17.

CERTIFIED TO BE A TRUE COPY:

*James P. Kenny*  
James P. Kenny, Jr.,  
Lieutenant, U. S. Navy,  
Judge Advocate.



111. Q. What kind of work did you do at the Fourth Naval Hospital?  
A. Cleaning around the area and digging caves.

112. Q. You testified that you knew the Deck Officer. How is it that you know this Deck Officer?  
A. Because he is our foreman.

113. Q. Were you given your daily work by this Deck Officer?  
A. Yes.

114. Q. When you talked to this Deck Officer did you talk in Japanese?  
A. Yes.

115. Q. Do you understand Japanese?  
A. A little.

116. Q. Do you understand what I am saying?  
A. A little.

117. Q. You testified that you knew Homma. How did you know Homma?  
A. Because he was with us working at the naval hospital.

118. Q. Did you have any special connections with Homma in relation to your work?  
A. None.

119. Q. Then is the relation between yourself and Homma the same as your relations with the other petty officers of the hospital?  
A. Homma is with the enlisted men while they are working.

120. Q. You testified that by the order of the Deck Officer you carried four dead bodies from the morgue to the top of the hill and buried them there and you carried them by stretcher. How did you carry them?  
A. We took them up the hill by stretcher.

121. Q. How many persons carried a stretcher?  
A. The first time four of us and the second time three of us.

122. Q. You testified that you dug a hole on the hill. Did you dig the holes after you had carried the bodies there?  
A. I made a mistake by saying we dug a hole. We did not dig a hole.

123. Q. Then what did you do?  
A. We did carry the dead bodies up the hill and then we just slid them down a small cliff.

124. Q. You testified that the first person in the second row was in the line of the twelve stabbers. Are you sure of this?

(The first person in the second row was Yoshizawa.)

A. I saw him personally.

CERTIFIED TO BE A TRUE COPY:

*James P. Henry*  
James P. Henry,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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125. Q. Was he at the head of the lines or was he in the middle of the lines or was he at the rear of the lines?  
A. He is in the middle row.

126. Q. Weren't there just two lines?  
A. In the middle of the first row.

127. Q. What did he have in his hands?  
A. He had with him a rifle with a bayonet attached on the point of it.

128. Q. Did you see him stab?  
A. I did.

129. Q. You testified that Houma gave an order. What did he say?  
A. I do not recognize what he said but I heard him screaming to the party.

130. Q. Did you see Houma stab?  
A. I did not see him.

131. Q. When you say Houma was screaming do you mean he was screaming toward the prisoners or towards the sentries?  
A. I believe he was screaming toward the sentries because after he screamed the sentries moved toward the prisoners.

132. Q. Was Houma facing towards the sentries when he screamed?  
A. He is facing toward the prisoners.

133. Q. Are you a Christian?  
A. Yes.

134. Q. You believe that you will be punished if you testify falsely here at this trial?

This question was objected to by the judge advocate on the ground that the witness has already taken an oath to tell the truth.

The accused replied,

The commission announced that the objection was sustained.

135. Q. This coconut tree that you said that you were up in. Was this behind the prisoners?  
A. It is not on the back of it, it was on the side of them.

136. Q. From where you were in the coconut tree could you see both the stabbers and the prisoners at the same time?  
A. Yes.

137. Q. Were you the only one in the tree?  
A. I am alone.

138. Q. Were there any other natives in any of the other trees watching the stabbing?

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*James P. Long*  
James P. Long  
Lieut. Col., U. S. Navy  
Sigsbee & Sons, Inc.

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This question was objected to by the judge advocates on the ground that it called for the opinion of the witness.

The accused withdrew the question.

139. Q. Did you see any other natives in any of the other trees watching the stabbing?  
A. I do not know.

140. Q. Were you up in the very top of the coconut tree or were you only up on the trunk of the tree?  
A. I was on the very top of the tree hiding among the leaves.

141. Q. Was this tree that you were in as far away from the prisoners as from where you are sitting to the back of this room? (Indicating a distance of about 60 feet.)  
A. To where the tree I was on is a little further than from here to the end of the room.

142. Q. Everyone that was in the line of stabbers, you saw them stab. Is that correct?  
A. Yes, I did.

143. Q. You testified just a few minutes ago that you did not see Homma stab. Do you mean that Homma was not in this line?  
A. Homma was not in the line of these twelve sentries, he was on the outside line.

144. Q. Did you see him in the line of stabbers?  
(Indicating the accused Yoshizawa.)

A. Yes.

145. Q. Did he stab first?  
A. No.

146. Q. What did he stab with?  
A. Rifle with bayonet attached on it.

147. Q. Could you see the prisoner when Yoshizawa stabbed him?  
A. Yes.

148. Q. Was the prisoner blindfolded?  
A. Yes, he was blindfolded.

149. Q. So you could not see if the prisoner looked at the stabber or not because he was blindfolded?

This question was objected to by the judge advocates on the ground that it called for the opinion of the witness.

The accused made no reply.

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*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
San Francisco, Cal.

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The commission announced that the objection was sustained.

150. Q. As you saw this man stab the prisoner did the prisoner cry out?

This question was objected to by the judge advocate on the ground that it was repetitious.

The accused replied.

The commission announced that the objection was not sustained.

A. No, he did not scream.

151. Q. Did this prisoner that you saw this man stab bleed when this man stabbed him?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness.

The accused withdrew the question.

152. Q. Did you see this prisoner bleed after this man stabbed him?

A. I did.

153. Q. Did you hear him make any sound after he was stabbed by this man?

A. No scream at all.

154. Q. Did this prisoner's head slump down after he was stabbed by this man?

A. The prisoner's head is down.

155. Q. Did the prisoner's body remain upright after he was stabbed by this man?

A. When this man stabbed him the head of the prisoner was already down and the blood was still dropping from this prisoner.

156. Q. The question was, did the body remain upright after this man stabbed him?

This question was objected to by the judge advocate on the ground that it was vague.

The accused withdrew the question.

157. Q. Did this prisoner's body remain hanging as it was before after this man stabbed him?

A. Yes, in the same position.

158. Q. Could you see from where you were in the coconut tree that these prisoners were tied so that they could not fall down after they were stabbed?

A. I do not know whether they tied them strong enough not to fall when they stabbed.

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*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge & Notary.

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159. Q. Then they were tied in such a way that their feet were still on the ground?

This question was objected to by the judge advocate on the ground that it was vague.

The accused made no reply.

The commission announced that the objection was sustained.

160. Q. Did you see blood on the bayonet of this man after he had finished stabbing the prisoner?

A. I could not see whether there was blood on the bayonet.

161. Q. Then you do not actually know that this man stabbed this prisoner?

A. I am positive that he is involved in that stabbing.

162. Q. You do not know that he actually killed the prisoner, do you?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness.

The accused replied.

The commission announced that the objection was sustained.

163. Q. As you saw this man stab the prisoner did the prisoner's body swing back and forth?

A. Yes, it was moving a little.

164. Q. You said that you could see men marching up the hill while you were in the coconut tree. Is that right?

A. Yes, I could see them.

165. Q. How far from these marching men was this coconut tree that you were sitting in?

This question was objected to by the judge advocate on the ground that it was vague.

The accused withdrew the question.

166. Q. How far away from these marching men was the coconut tree when you first saw them?

A. I have no idea of the distance between the tree that I was on when they went marching up the hill.

167. Q. Could you recognize any of the men that you saw marching?

A. Yes, I did recognize them.

168. Q. Was this man that just stood up, was he marching with these men?

A. Yes.

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*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy  
Serge & Associate.

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169. Q. The men that you named before and picked out here, were they all in the line of these marching men?

This question was objected to by the judge advocate on the ground that it was vague.

The accused made no reply.

The commission announced that the objection was not sustained.

A. They were all in the line.

170. Q. How high up in the coconut tree were you sitting? As high up as the ceiling?

(Indicating a distance about thirty feet.)

A. A little higher than up to the ceiling.

171. Q. You say that you saw twelve sentries in that line. How many is twelve?

This question was objected to by the judge advocate on the ground that it was vague.

The accused made no reply.

The commission announced that the objection was sustained.

172. Q. You testified that you heard Noma give an order to take their swords out. What did they take their swords out of?

A. I did not testify that Noma ordered the sentries to take their swords out, I meant to say that Noma himself pulled out his sword.

173. Q. What did Noma pull his sword out of?

A. Took it out of the scabbard.

174. Q. About how long was this sword that Noma had?

This question was objected to by the judge advocate on the ground that it was irrelevant.

The accused replied.

The commission announced that the objection was not sustained.

A. About so long.

(The witness indicated about four feet.)

175. Q. You testified that Noma gave the order before they stabbed these two prisoners. What orders did you hear Noma give to these two sentries?

A. I did not understand the orders that he was saying but I could hear him screaming to the sentries.

CERTIFIED TO BE A TRUE COPY:

*James P. Henry*  
James P. Henry,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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176. Q. When Nomma screamed at these sentries what did the sentries do?  
A. As soon as Nomma screamed these sentries started stabbing at the prisoners.

177. Q. Did you see this man stab?

(Counsel indicated the accused Sawada.)

A. I am not positive of it.

178. Q. Did you see that man stab?

(Counsel indicated the accused Tanaka.)

A. I saw him.

179. Q. What did he stab with?

A. Rifle with a bayonet attached on it.

180. Q. Did you see blood on this man's bayonet after he finished stabbing the prisoner?

A. I did not see any blood on his bayonet, I could not recognize it.

181. Q. Did you see that man stab?

(Counsel indicated the accused Tsutsui.)

A. I did not see him.

182. Q. Did you see that man stab?

(Counsel indicated the accused Takashi.)

A. I saw him.

183. Q. Did he stab first?

A. The second.

184. Q. He stabbed second?

A. Yes.

185. Q. What did he stab with?

A. The same weapon as the others used.

186. Q. Rifle and bayonet?

A. Yes.

187. Q. Did you see blood on his bayonet after he finished stabbing the prisoner?

A. I do not recognize it.

188. Q. Did you see him stab?

(Counsel indicated the accused Humbera.)

A. Yes, I saw him.

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*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
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189. Q. Did he stab first?

A. The fourth.

190. Q. What did he stab with?

A. The same as the others, with a rifle and bayonet on the point of it.

191. Q. Did you see blood on his bayonet after he finished stabbing?

A. I do not recognize it.

192. Q. Did you see this man stab?

(Counsel indicated the accused Mukai.)

A. Yes, I did.

193. Q. Did he stab first?

A. The fifth.

194. Q. What did he stab with?

A. The same as the others.

195. Q. Did you see blood on his bayonet after he finished stabbing?

A. I could not recognize the blood on the bayonet.

196. Q. You testified, "When I saw them kill them I came down from the tree." Are you sure you saw them killed that day?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness.

The accused replied,

The commission announced that the objection was sustained.

197. Q. Were the prisoners mortally wounded the first time they were stabbed?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness.

The accused replied,

The commission announced that the objection was sustained.

198. Q. Were you the first one to leave the scene after the stabbing?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness.

The accused replied,

The commission announced that the objection was not sustained.

A. To the best of my knowledge I think myself because I do not know of any others being there that day.

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*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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199. Q. What did the guards say to you when they saw you come down from the tree?

This question was objected to by the judge advocate on the ground that there was no testimony that the guards saw the witness come down.

The accused withdrew the question.

200. Q. Did the guards say anything to you when they saw you come down from the tree?

This question was objected to by the judge advocate on the ground that there was no testimony that the guards had seen the witness.

The accused made no reply.

The commission announced that the objection was not sustained.

A. They did not see me.

201. Q. You saw guards up there at the scene then, didn't you?

A. I did.

202. Q. How many Japanese guards did you see there at the scene?

A. Twelve Japanese guards.

203. Q. Were there any other sentries besides these twelve stabbers that you saw as guards at the scene?

A. That I do not know, all I could see were twelve.

Reexamined by the judge advocate:

204. Q. You testified on cross-examination that you slid these bodies over a hill. Can you estimate how far these bodies fell after you let go of them?

A. From the cement up about this high.

(Indicating approximately six feet.)

205. Q. After sliding the bodies over the hill did you do anything further?

A. We just shoveled the loose ground on top of them.

206. Q. Did anyone order you to slide these bodies over the hill?

A. Yes.

207. Q. What was it?

A. The Deck Officer.

208. Q. By Deck Officer do you mean the accused sitting in the fifth seat in the first row?

(The judge advocate indicated Sakagami.)

A. Yes.

CERTIFIED TO BE A TRUE COPY:

*James P. Lundy*  
James P. Lundy  
Lieut. Comdr., U. S. Navy,  
San Francisco.

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209. Q. Do these two men look alike to you?

(Indicating Oishi and Numa.)

A. They are not the same.

Examined by the commission:

210. Q. On direct examination you were asked whether or not you heard the stabbers say anything while they were stabbing the prisoners. The answer is not clear and for the purpose of clarification the commission would like to have you answer the question again.

A. They did not say anything.

Neither the judge advocate, the accused, nor the commission desired further to examine this witness.

The witness said that he had nothing further to state.

The witness was duly warned and withdrew.

The commission then, at 10:22 a.m., took a recess until 10:39 a.m., at which time it reconvened.

Present: All the members, the judge advocate, the accused, their counsel, and the interpreters.

Joseph Kane, junior, yeoman second class, U. S. Navy, reporter.

No witnesses not otherwise connected with the trial were present.

A witness for the prosecution entered and was duly sworn.

Examined by the judge advocate:

1. Q. State your name.

A. My name is Takeo Etoman.

2. Q. Where do you live?

A. I live on Oahu.

3. Q. If you recognize any of these accused, state who they are.

A. I recognize their faces, but I do not know their names.

4. Q. Do you know by what name any of them were called?

A. The witness left the stand and placed his hand on the shoulder of the accused he identified, Iwamoto, the Deck Officer indicating the accused Sakaguchi, Numa. The rest of them, I recognize their faces, but I do not know their names.

5. Q. Were you employed at the Fourth Naval Hospital on Truk?

A. Yes, I was.

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*James T. Edney*  
James T. Edney,  
Lieutenant, U. S. Navy,  
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6. Q. During what period of time were you employed there?

A. I do not remember the time when I started working with them.

7. Q. What year did you begin working at the hospital?

A. To the best of my knowledge, somewhere around 1944.

8. Q. And when did you stop working?

A. I forget the year when I quit working with them.

9. Q. Did you stop working at the hospital before the close of the war?

A. Yes, I quit work at the hospital before the end of the war.

10. Q. And for approximately how long had you been working at the hospital?

A. About four months.

11. Q. While you were employed at the Fourth Naval Hospital, under whom did you work?

A. The Deck Officer.

12. Q. Were you ever assigned the duty of burying some bodies while you were employed there?

This question was objected to by the accused on the ground that it was leading.

The judge advocate replied.

The commission announced that the objection was not sustained.

A. Yes, by the Deck Officer.

13. Q. What were you told to do?

A. One Sunday morning, they told us to do this job on account it is not good for Japanese soldiers to do this work but only good for natives.

14. Q. Who told you this?

A. The Deck Officer.

15. Q. What did he tell you to do?

A. He told me to pick up some stretchers and showed me the way where to go.

16. Q. Where did you go?

A. I went to the morgue where these four bodies were.

17. Q. Who went with you?

This question was objected to by the accused on the ground that it was leading.

The judge advocate withdrew the question.

18. Q. Was anybody else assigned this duty along with yourself?

A. We are seven altogether.

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*James P. Kennedy*  
James P. Kennedy  
Lieutenant, U. S. Navy,  
Judge Advocate.

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19. Q. Who were the other six?

A. I was with Opet, Hosenbik, Haseo, Shoichi, Tomas and Yoshio, but Yoshio is dead.

20. Q. Do you know how Yoshio died?

A. While he was working with the Japanese army, he was killed by an accident on dynamite.

The accused moved to strike out this answer on the ground that it was irrelevant and immaterial.

The commission directed that the answer be stricken out.

21. Q. Did you see the bodies that you were to bury?

A. Yes, I did.

22. Q. How many were there?

A. Four.

23. Q. Do you remember what they looked like?

A. Their bellies were cut open and some of them had broken lips.

24. Q. What was the color of the skin on these bodies?

A. White complexion. Some of them had brown hair and black hair, but they were white complexioned.

25. Q. Prior to this time, had you seen any Americans?

A. No.

26. Q. What did you do with these bodies?

A. Two of them we carried at the first time and put them on top of the hill and then we made another trip after the two of them and by taking it up to the same place, we slid them from the cliff.

27. Q. Following this incident, did you ever have conversation with or hear anyone of these accused mention this incident?

This question was objected to by the accused on the ground that it called for a hearsay answer.

The judge advocate withdrew the question.

28. Q. Can you tell us when this incident took place?

A. I do not remember what year.

29. Q. Can you place the time with reference to anything that took place on Truk?

A. To the best of my knowledge, before the first raid.

30. Q. While you were employed at the hospital, did any other unusual incident occur?

A. Yes. I know that they had dynamited two more Americans.

IDENTIFIED TO BE A TRUE COPY:

*James D. Lewis*  
James D. Lewis,  
Lieutenant, U. S. Navy,  
Jango A. 700.10.

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31. Q. How do you know this?

A. When we were working, one of the trucks came to the same area where I was at and there were two Americans on the truck.

32. Q. Are you able to describe what those Americans looked like?

A. They were only wearing shorts and they were blindfolded.

33. Q. Who was in the truck with them?

A. There were some Japanese with them, but I do not know who they were.

34. Q. What took place after you saw them on the truck?

A. I do not know what happened later, because I was trying to stay and see what will happen, but the Deck Officer ordered me to stay away from it.

35. Q. Did you hear anything unusual after you received these orders from the Deck Officer?

A. When the Deck Officer ordered me to stay away from the area, I hid myself under one of the houses and then I saw the Deck Officer himself enter the house and take dynamite with him.

36. Q. After you saw the Deck Officer take the dynamite from the house, did you see or hear anything else unusual?

A. After the Deck Officer took the dynamite, I heard explosions.

37. Q. Are you able to tell us from what direction the sound of this explosion came?

A. I do not know.

38. Q. Did the Deck Officer ever say anything to you about this following the incident?

A. He only mentioned to us before starting work. He told us if we were not industrious in our work, that they would dynamite us the same as they had done with those Americans.

39. Q. Are you able to place the time when you saw the Deck Officer take the dynamite and when you heard this explosion? What part of the year was it?

A. I forget the month and year, but I still remember the time.

40. Q. What time do you remember it as?

A. Three p.m.

Cross-examined by the accused:

41. Q. What kind of work were you doing at the Fourth Naval Hospital?

A. Cleaning around the area and digging caves.

42. Q. You stated that you know Nomma, but how do you know Nomma?

A. I know him because we were working on the same area.

43. Q. Then, do you know the other three officers' names?

A. I do not know their names.

CERTIFIED TO BE A TRUE COPY:

*James B. Henry*  
James B. Henry,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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44. Q. You have stated that you worked with the Deck Officer, when you talked with the Deck Officer, did you talk in Japanese or in the native tongue?

A. In Japanese.

45. Q. Did you understand what the Japanese defense counsel said?

A. A little.

46. Q. You have testified that you were ordered by the Deck Officer one Sunday morning to bury dead bodies. Where were you at that time?

A. I was in the laborers' house at the hospital area.

47. Q. Was this laborers' house in the campus of the hospital?

A. Yes, sir.

48. Q. When you received the order from the Deck Officer, were the other six with you?

A. The seven of us, we were all together.

49. Q. Were there some men, other than the seven, who did not receive the order at that time?

A. Just the seven of us.

50. Q. You were told to bring the stretcher. Where did you get the stretcher?

A. We took them from under the hospital.

51. Q. I can't get what you mean by "under the hospital." Can't you describe more in detail?

A. It was the hospital where the patients were sleeping on top and underneath that house is where we picked these stretchers out.

52. Q. How many stretchers did you bring?

A. Two.

53. Q. Did all seven go?

A. Yes. All seven of us, because we made two trips, the first trip four of us and the second trip three of us.

54. Q. Didn't all seven go at one time and bring two stretchers?

A. We made two trips. We did not make it all at once. We didn't do it all at once, because one dead body was on one stretcher.

55. Q. When you went to get the stretchers under the hospital where the patients were sleeping, did all the seven go and get the stretchers?

A. I do not exactly remember how many of us took the stretchers.

56. Q. Did you go yourself?

A. No, I did not.

57. Q. Did you go to the morgue by yourself?

A. No, not by myself. Somebody was with me.

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*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate

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0996

58. Q. When you went to the morgue, were the stretchers already there?  
A. No, the stretchers were not there yet.

59. Q. While you were at the morgue, they brought the stretchers over, is that right?  
A. Yes, I was at the morgue and they brought in the stretchers later.

60. Q. You stated that you carried the four corpses in two trips. Is there no mistake in that statement?  
A. No, I am positive that we made two trips. The first trip two of us and the second trip three of us.

61. Q. Did you bring two corpses at a time, then?  
A. Yes. Two.

62. Q. Did you put two corpses on one stretcher?  
A. One dead body to each stretcher.

63. Q. You have stated on the first trip four carried them, and the second trip three carried. In what way did you carry with only three persons?  
A. Three persons on the one stretcher, two in front and one in the rear. These three persons that carried these stretchers, two persons in front and one in the rear, carried all by himself; that makes it three persons on one stretcher.

64. Q. You have stated that you carried only two corpses in the first trip and the second time you carried two corpses and there were only three men. With two stretchers, how could three men carry them?  
A. We carried one body to each stretcher. The first trip we were four of us and on the first stretcher we had a group of four persons and then the other stretcher had a group of three persons.

65. Q. Did you carry this way two times?  
A. Yes. We four carried ours on one stretcher and the other three carried theirs on the other stretcher, we each made two trips.

66. Q. Were you in the group of four?

This line of questioning was objected to by the judge advocates on the ground that it was irrelevant and immaterial.

The accused made no reply.

The commission announced that the objection was sustained.

The witness was duly warned.

The commission then, at 11:29 a.m., took a recess until 2 p.m., at which time it reconvened.

Present: All the members, the judge advocates, the accused, their counsel, and the interpreters.

Robert R. Miller, yeoman first class, U. S. Navy, reporter.

No witnesses not otherwise connected with the trial were present.

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*James B. Lewis*  
James B. Lewis,  
Lieutenant, U. S. Navy,  
Sgt. A. 700. 10.

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Stoman, Takeo, the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

(Cross-examination continued.)

67. Q. You testified that you took four dead bodies from the morgue and slipped them over a cliff. When you did this did you take one body and slip it over the cliff one at a time or how did you do it?

A. Both stretchers make one trip and the first stretcher slid one dead body and the other stretcher slid the other.

68. Q. Were they all in the same place?

A. Yes.

69. Q. Then did the bodies fall on top of each other?

This question was objected to by the judge advocate on the ground that it was irrelevant.

The accused made no reply.

The commission announced that the objection was sustained.

70. Q. After you slid the bodies over the cliff did you cover them with anything?

A. After we slipped them down the cliff we just shoveled the loose ground on them a couple of times.

71. Q. After you shoveled dirt a couple of times were the bodies covered up?

A. We did shovel until all of the bodies were covered up.

72. Q. When you slipped the bodies over the cliff did the Desk Officer go there?

A. Yes.

73. Q. Were there other Japanese persons besides the Desk Officer there?

A. He was all by himself.

74. Q. You testified concerning a dynamiting incident, which was first, the dynamiting incident or this incident of the dead bodies?

A. I do not remember.

75. Q. You testified that you saw a truck go by. Where at the hospital did you see this truck pass by?

A. I was working at the house of the Desk Officer and the truck arrived with these two Americans on it.

76. Q. Is the house of the Desk Officer inside the boundaries of the hospital?

A. Not very far from the hospital under a mango tree.

CERTIFIED TO BE A TRUE COPY:

*James P. Lenny*  
James P. Lenny,  
Lieutenant, U.S. Navy,  
Judge & Notary.

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0998



77. Q. Is it in back of the administration building of the hospital or in front of it?

A. It is on one side toward the hill.

78. Q. Was the deck officer there at this time?

A. Yes, he was at his house.

79. Q. Was there anyone else besides yourself and the Deck Officer?

A. Some enlisted personnel but I do not recognize them.

80. Q. From where you looked could you see the truck above or below you?

A. I was looking toward it because it was right in front of me.

81. Q. Was the truck covered?

A. It was not covered.

82. Q. What was the appearance of these prisoners?

A. They were white complexioned with brown hair.

83. Q. How many meters distance was there between yourself and the prisoners?

A. I have no idea.

84. Q. Were the prisoners sitting in the truck or standing?

A. Standing.

85. Q. Were they holding on to something?

A. Some of the Japanese enlisted personnel were holding them.

86. Q. In what direction did this truck go?

A. I do not know later because the Deck Officer ordered me to stay away from this area.

87. Q. Where do you mean by "this area"?

A. Outside of his house.

88. Q. You testified that as you were told to stay away from the area by the Deck Officer you went to a house that was nearby and hid there. What was the distance from the house of the Deck Officer where you saw the prisoners and the house where you hid?

A. I do not know the exact distance between them but it is just near together.

89. Q. Then do you mean that you hid yourself so as not to attract the attention of the Deck Officer?

A. Yes.

90. Q. Were you the only one who hid in this house or was there someone else?

A. I was all by myself under that house.

91. Q. When you hid in this house after leaving the Deck Officer's house was the Deck Officer still in his house?

A. The Deck Officer was still in his house when I was sitting under that house.

TESTIFIED TO BE A TRUE COPY:

*James M. Lowry*  
James M. Lowry,  
Lieutenant, U. S. Navy,  
Sergeant Major.

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0999

92. Q. Then for what reason did you hide under this house?

A. I was afraid of the Deck Officer and I have interest by watching those Americans on this truck.

93. Q. In what kind of a place in this house did you hide?

A. Under the house.

94. Q. Do you mean under the floor?

A. Yes, under the floor on the ground.

95. Q. From where you were hiding could you see where the truck had gone?

A. No, I did not.

96. Q. Did the Deck Officer come into this house in which you had hidden?

A. No, he did not appear.

97. Q. You testified that the Deck Officer had dynamite. Is this correct?

A. Yes, I saw him personally taking this dynamite from his house.

98. Q. Do you mean that you could see the Deck Officer taking this dynamite from his house from under the floor of the house in which you were hiding?

A. Yes, I really saw it.

99. Q. Then do you mean that the Deck Officer took the dynamite from his own house?

A. Yes.

100. Q. How many pieces of dynamite did he have?

A. I do not know how many pieces because he was holding it in his hand.

101. Q. How was he holding this dynamite?

A. The dynamite is long and he is holding it this way.

(Witness indicated holding dynamite upright in his hands.)

102. Q. Where did the Deck Officer go with this dynamite?

A. When he came out of his house with the dynamite I saw him walk away but I do not know where he went.

103. Q. Did you follow the Deck Officer after this?

A. No.

104. Q. At the hospital at this time were they frequently blasting with dynamite?

A. Yes, sometimes they exploded by breaking rocks on the cave.

105. Q. You testified that shortly after you heard the explosion of dynamite. How many explosions did you hear?

A. At Truk at three o'clock every afternoon there are many blasts. When they are working on the caves they use dynamite.

106. Q. Then is that why you testified that it was three o'clock in the afternoon?

A. Yes, I testified it was three o'clock because I really heard the explosions at that hour.

CERTIFIED TO BE A TRUE COPY:

*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Surge & Photo.

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107. Q. Did you see your watch at this time?

A. At the house of the nurses they have a watch there.

108. Q. Did you see this watch?

A. Yes, because it is easy to see from the outside.

109. Q. Do you work for the Americans on Truk now?

This question was objected to by the judge advocate on the ground that it was irrelevant and immaterial.

The accused replied.

The commission announced that the objection was sustained.

110. Q. Had you ever seen dynamite before you saw it this day?

A. Yes, I had.

111. Q. Can you describe what dynamite looks like?

A. The one what we are using in digging caves is about a foot long.

112. Q. Is it in a paper?

A. It was wrapped up in paper.

113. Q. Was this in the morning when the Deck Officer took the dynamite out of his house?

A. After we start work in the afternoon.

114. Q. What time did you start to work in the afternoon, one p.m.?

A. Yes.

115. Q. And you heard the explosions at three o'clock, is that right?

A. Yes.

116. Q. And these two prisoners that you saw in the truck, what time did you see them in the truck?

A. I do not know the exact time I saw them.

117. Q. These two prisoners that you said were on the truck and they were blindfolded. Were they wearing Japanese shorts?

A. It is entirely different than the Japanese underwear.

118. Q. Did they have any shirt on?

A. No, they have no shirt.

119. Q. Were they wearing shoes?

A. I did not see whether they wore shoes or not.

120. Q. Was there a Japanese officer in the truck with the two prisoners?

A. I do not know whether they are officers but a few Japanese were with them on the truck.

121. Q. How many?

A. I do not really remember.

CERTIFIED TO BE A TRUE COPY:

*John Henry*  
James T. Henry  
Lieutenant, U. S. Navy,  
S. G. & S. Co.

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122. Q. Had you ever seen prisoners before this time?

A. No.

123. Q. Had you ever seen Americans before this time?

A. No, I have never seen them.

124. Q. What interest did you have in the two prisoners on the truck?

A. Because I know they were entirely different from the Japanese so I have interest in looking at them.

Reexamined by the judge advocate:

125. Q. After these bodies were slid over the side of the cliff were you directed to put any markers on the place where they were buried?

This question was objected to by the accused on the ground that it was leading, and outside the scope of the redirect examination.

The judge advocate replied.

The commission announced that the objection was not sustained.

A. No, no one notified me to put any marker there.

126. Q. Did you put anything there to indicate that bodies were buried in that spot?

A. No, I did not.

Recross-examined by the accused:

127. Q. Were there any Japanese persons there when you put these bodies over the cliff?

A. Only the Deck Officer.

Neither the judge advocate nor the accused desired further to examine this witness.

The commission did not desire to examine this witness.

The witness said that he had nothing further to state.

The witness was duly warned and withdrew.

A witness for the prosecution entered and was duly sworn.

Examined by the judge advocate:

1. Q. State your name.

A. Otis Pinos.

2. Q. Where do you live?

A. I live in Losop.

CERTIFIED TO BE A TRUE COPY

*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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3. Q. If you recognize any of these accused tell us who they are.

The witness went among the accused and indicated as follows: The head of the hospital (indicating the accused Iwanami); Yoshizawa; Homma; Kawashima and indicated that he recognized the faces of Kanikawa, Oishi, Sakagami, Tanabe, Mukai, Tanaka, Sawada, Tautsui, Takeishi and Mitsubishi.

4. Q. Were you employed at the Fourth Naval Hospital on Dublin Island?  
A. Yes.

5. Q. During what period did you work there?  
A. I started work at the hospital in the year 1944.

6. Q. Under whom did you work while you were at the hospital?  
A. The Deck Officer.

(The witness pointed to the accused Sakagami.)

7. Q. While you were working at the hospital did you see any white men?  
A. Yes.

8. Q. When did you first see a white man?  
A. I remember the year but I could not testify the month it was, it was in the year 1944.

9. Q. How many white men did you see at that time?  
A. Two.

10. Q. Where were you when you saw them?  
A. In front of the Deck Officer's house.

11. Q. Tell us what you saw.  
A. The first I saw was when the truck arrived.

12. Q. Who was on the truck?  
A. I saw two white complexioned people on it.

13. Q. Was there anyone else on this truck with the two white men?  
A. There were some Japanese with them but I do not remember how many of them.

14. Q. Did you recognize any of the Japanese who were on the truck with these two white men?  
A. Yes.

15. Q. Were any of these accused on the truck?  
A. Yes.

16. Q. Which of these accused were on the truck with the two white men?  
A. There were none of these accused that were on that truck.

17. Q. After having seen the two white men on this truck what next did you notice?  
A. After that I saw the Deck Officer with two more soldiers with him marching these two Americans up the hill.

CERTIFIED TO BE A TRUE COPY:

*James P. Zenny*  
James P. Zenny,  
Lieutenant, U.S. Navy,  
Suzgo #700.00.

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18. Q. Did you see any of these other accused going up the hill?  
A. Yes, Numa, the head of the first section and the Deck Officer.

19. Q. Who do you mean when you say head of the first section?  
A. I do not know exactly but I just heard them mention that name so I called him that.

20. Q. You do not identify any of these accused as head of the first section, do you?  
A. He is not in that group.

21. Q. After seeing these two white men marching up the hill what did you do?  
A. When I saw them marching up the hill I also ran in a different direction to go on that hill close to my house and I climbed up one of the trees.

22. Q. Where is this hill located?  
A. On this side of the hospital going up this way. (Indicating right.)

23. Q. Was it to the front or to the rear of the hospital?  
A. Back of the hospital.

24. Q. When you climbed this tree did you see anything?  
A. When I climbed up in the tree I saw two Americans were hoisted up.

25. Q. Hoisted up to what?  
A. Two posts on both sides and in the middle they put another leg. The post which they used on one side was a kapok tree and on the other side was a mango tree.

26. Q. How high were the prisoners hoisted?  
A. About this high from the ground.

(Indicating one and one-half feet.)

27. Q. After the prisoners had been hoisted on this cross-bar what did you see happen then?  
A. I saw twelve sentries were lined up.

28. Q. How were they lined up with reference to the two white men that were hanging there?  
A. The prisoners and the sentries were facing each other and there were two columns of six in each column.

29. Q. Did you recognize any of the people in those two columns?  
A. I am not positive.

30. Q. Were the men in those two lines carrying anything?  
A. Each individual had his own rifle with a bayonet attached on the front of it.

31. Q. What else did you see?  
A. Then I heard Numa screaming and after Numa screamed the two sentries in the front moved toward the prisoners and stabbed the two prisoners.

CERTIFIED TO BE A TRUE COPY:

*James P. Kelly*  
James P. Kelly,  
Lieutenant, U. S. Navy,  
Judge & Notary.

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32. Q. Were you able to understand what Nomma screamed?

A. No, I do not know what it means, I just heard him scream.

33. Q. As these first two men moved forward and stabbed did you hear them say anything?

A. I do not know what it means but when these two Japanese stabbed these two prisoners they said "Yaaa."

34. Q. How far did they charge before they stabbed the prisoners?

A. I just do not know exactly the distance but where the sentries are standing to where the prisoners are is about five meters apart.

35. Q. Did everyone in these two lines stab the prisoners?

A. Yes, every one of them.

36. Q. What happened after the two lines had completed their stabbing?

A. After all twelve of them were stabbing these two prisoners one of the soldiers whom I did not recognize went around and grasped hold of this prisoner's foot and then Nomma came around with his sword and beheaded him.

37. Q. What did this man that grabbed the prisoner's foot do with it?

A. To the best of my knowledge probably he took hold of his leg to make him straight enough for this other man to chop his head off.

38. Q. How many times did he strike this prisoner's head?

A. The first one it was only one time.

39. Q. Did he strike at both of these prisoners?

A. Yes, both of them.

40. Q. Did he remove both of their heads?

This question was objected to by the accused on the ground that it was leading.

The judge advocate withdrew the question.

41. Q. What happened to the head of the second prisoner that he struck?

A. The first one he chopped at only one time but the second one it took three times and it did not even cut apart.

42. Q. What happened then?

A. And then someone relieved Nomma but I do not recognize his face.

43. Q. Are you able to recognize among these accused the party who relieved Nomma?

A. I can not testify whether he is in that group or not.

44. Q. Did you know that individual at that time?

A. Yes, I have seen that someone relieved Nomma after he did not cut the head off in three times.

45. Q. Do you know his name?

CERTIFIED TO BE A TRUE COPY:  
*James P. Loney*  
James P. Loney  
Lieutenant, U. S. Navy  
July 4, 1946

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This question was objected to by the accused on the ground that it was repetitious.

The judge advocate replied.

The commission announced that the objection was not sustained.

A. I do not know his name either.

46. Q. What did he do?

A. He also took his sword out and cut this man's head two times, the second time it was split.

47. Q. Are you able to recognize any of these accused as being on the hill at the time of this incident?

This question was objected to by the accused on the ground that it was irrelevant.

The judge advocate replied.

The commission announced that the objection was not sustained.

A. Yes.

48. Q. Will you please go among them and point out the ones that you remember as being on the hill that day?

A. (The witness left the stand and went among the defendants and identified Kawashima; Yoshizawa; Nomura; the head of the hospital, Iwanami; the Deck Officer, Sakagami; and stated that he recognized the face of Oishi but did not know his name.)

49. Q. Did you see Iwanami do anything on the hill that afternoon?

A. He was in front of the prisoners.

The commission then, at 3:29 p.m., took a recess until 3:42 p.m., at which time it reconvened.

Present: All the members, the judge advocates, the accused, their counsel, and the interpreters.

Joseph Kane, junior, yeoman second class, U. S. Navy, reporter.

No witnesses not otherwise connected with the trial were present.

Otis Fines, the witness under examination when the recess was taken, entered. He was warned that the oath previously taken was still binding, and continued his testimony.

(Examination continued.)

50. Q. This incident that you have just described, can you tell us when it happened?

A. I do not remember the month, but I remember the year.

CERTIFIED TO BE A TRUE COPY:

*James P. Kenney*  
James P. Kenney,  
Lieutenant, U. S. Navy,  
July 20, 1946.

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51. Q. In what year did it occur?

A. In the year 1944.

52. Q. Other than giving us the year, can you place the time any more definitely?

A. Also this happened after the first air raid.

Counsel for the accused brought to the attention of the commission that the interpreter had led the witness by suggesting "air raid." The interpreter admitted the truth of this, and the commission directed that this answer be stricken from the record and cautioned the interpreter to refrain from such practice.

Cross-examined by the accused:

53. Q. How many air raids were there at Truk while you were there?

A. Twice.

54. Q. When you first entered the employ of the Fourth Naval Hospital, was it before the first air raid?

A. I worked at the hospital after the first air raid.

55. Q. Then, was this incident that you have just testified to before or after the second air raid?

A. To the best of my knowledge, after the second air raid.

56. Q. Do you remember how many days after the second air raid?

A. I do not remember.

57. Q. How long after you entered the employ of the Fourth Naval Hospital did this incident occur?

A. I started work at the naval hospital in February of the year 1944, but I couldn't make sure the date.

58. Q. How long after you entered the hospital in February, did this incident occur?

A. I do not remember, but I only can testify after the first air raid.

59. Q. You testified that when you were in front of the Deck Officer's house, you saw two white men going by on a truck. What were you doing at this time?

A. I was feeding the hogs that day, and after feeding them, I came back to the house of the Deck Officer.

60. Q. Was the Deck Officer there together with you?

A. No.

61. Q. Then, you were alone there?

A. All by myself.

62. Q. You testified that the truck arrived. Where did this truck arrive?

A. I do not know where it came from. All I could testify is that when it reached in front of the Deck Officer's house.

CERTIFIED TO BE A TRUE COPY:

*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
San Francisco, Cal.

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63. Q. Did the Deck Officer come after the truck had stopped there?  
A. No. The Deck Officer was not at his house.

64. Q. You testified that the Deck Officer and the head of the first section took the prisoners. When did they arrive?  
A. I am not positive, but I think it was somewhere around two o'clock.

65. Q. Then, did the Deck Officer, the head of the first section, and Honna come on the scene then?  
A. No, they didn't come at the same time.

66. Q. Who was the first one to arrive?  
A. The Deck Officer was the first.

67. Q. Who came next?  
A. I do not remember.

68. Q. Did the head of the first section and Honna both come together?  
A. I do not remember.

69. Q. How long was it from the time that the prisoners arrived at the house of the Deck Officer and when the Deck Officer arrived?  
A. It's not an hour; it's some minutes.

70. Q. What were the prisoners doing during this period?  
A. Two of them were sitting down blindfolded.

71. Q. You testified that after the Deck Officer took the prisoners, you went around the opposite side to the top of the hill and climbed a tree. Did you go immediately after the Deck Officer had left?  
A. Afterward, they were ahead of me.

72. Q. When you arrived at the top of the hill, were the prisoners already strung up?  
A. Yes, they were already hoisted up.

73. Q. At this time, were the twelve sentries all lined up?  
A. Yes, the sentries were there also.

74. Q. Was there anyone else other to the sentries and the prisoners?  
A. Yes, there is some besides the sentries, but I do not recognize them.

75. Q. Was the head of the hospital there?  
A. Yes, he was there.

76. Q. You said there were some. What was the approximate number of persons who were there?  
A. I cannot testify; I do not know.

77. Q. Are you sure that the sentries all had bayonets and rifles?  
A. Yes, sir. I remember that all the twelve of them had their rifles and bayonets attached to the front of the rifles.

QUALIFIED TO BE A TRUE COPY:  
*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
August 2, 1945.

78. Q. Was there anyone with weapons other to rifles with bayonets?  
A. I do not remember.

79. Q. Was Nomma in the lines of sentries?  
A. No, sir. No, Nomma is not included in the line. He was on the other side of the line.

80. Q. Did Nomma stab?  
A. No.

81. Q. Did you see the twelve sentries stab the prisoners?  
A. Yes. All the twelve of them stabbed the prisoners, but I could not recognize their faces.

82. Q. What happened to the prisoners when they first stabbed?  
A. When the two sentries stabbed them, both of the prisoners screamed.

83. Q. Did blood flow from the prisoners?  
A. Yes.

84. Q. Where did they stab?  
A. Right here. <sup>The witness indicated the middle of the chest.</sup>

85. Q. You testified that Nomma cut the prisoner. Which prisoner did he cut?  
A. Both of them. The one he chopped first was only one time.

86. Q. The second one, how many times did he cut?  
A. Three times.

87. Q. Which one did he cut first, the left or the <sup>right</sup> right?  
A. On the right hand side, facing Nomma.

88. Q. Did the head of the person on the left come off?  
A. No. It didn't cut it apart.

89. Q. Were both of the heads cut off; were they cut apart from the body?  
A. One of them was cut just one time when Nomma cut it, but the other one didn't cut apart immediately.

90. Q. Did Nomma have his sword, or did he borrow it from someone?  
A. I could not testify whether he had it with him or borrowed it from someone.

91. Q. You testified that Nomma was relieved by someone. Did this person who relieved Nomma cut the prisoner whose head had not been separated from the body?  
A. Yes.

92. Q. This incident which you have testified to in which you saw two Americans being stabbed, how many years was it previous to this date?  
A. I figure from 1944, and now is 1947. I believe it is about three years.

DECLARED TO BE A TRUE COPY:

*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
San Francisco, Cal.

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93. Q. Up to what time did you work at the Fourth Naval Hospital?  
A. I do not remember.

94. Q. Do you remember going to Tol Island in the beginning of July of the year that this incident occurred?  
A. I do not remember.

95. Q. Do you remember of having moved to Tol Island?  
A. Yes, because the Deck Officer told me to go with him.

96. Q. Were you there long?  
A. I do not remember, but I believe I stayed about two years at Tol.

97. Q. After you had gone with the Deck Officer to the branch hospital at Tol, did you stay there two years?  
A. I do not know whether exactly it is two years or not.

98. Q. After you had gone to Tol, did you come back frequently to the hospital at Dublin?  
A. No, not frequently.

99. Q. Was this tree that you had climbed growing at the top of the hill?  
A. Yes, it was on top of the hill.

100. Q. You testified that you climbed this tree which was near your house. Was your house nearby?  
A. Yes, close to my house.

101. Q. Then, is your house on top of this hill?  
A. Not on the hill, it was on a little side of the hill.

102. Q. Will you tell us about how many feet the feet of the prisoner were above the ground?  
A. About this high. The witness indicated a distance of one and one-half feet from the ground.

103. Q. Were the two Americans you saw very tall compared to the Japanese?  
A. Yes. It was a little higher than what the Japanese are.

104. Q. When you saw the stabbers stab the prisoners, did they stab with the point of their bayonets pointed upward or downward?  
A. It is a little pointed upward.

105. Q. Up to how much can you count?

This question was objected to by the judge advocate on the ground that it was irrelevant.

The accused replied,

The commission announced that the objection was not sustained.

A. I can count from one to ten thousand.

CERTIFIED TO BE A TRUE COPY.  
*James H. Keating*  
Judge in Admiralty,  
U. S. Navy,  
July 2, 1946

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106. Q. Then, do you remember how many persons there were other to the sentries on the hill that day?

A. I cannot answer that question because I did not have any intention of counting how many persons were in that place.

107. Q. Can you testify as to approximately how many there were or estimate as to how many there were, besides those twelve sentries?

A. I cannot remember.

108. Q. How many more persons were there than there are assembled in this group?

This question was objected to by the judge advocate on the ground that it was repetitious.

The accused made no reply.

The commission announced that the objection was sustained.

The witness was duly warned.

The commission then, at 4:28 p.m., adjourned until 9 a.m., tomorrow, Tuesday, July 15, 1947.

CERTIFIED TO BE A TRUE COPY:  
*John A. Henry*  
James W. Kenny  
Lieutenant, U.S. Navy  
Judge Advocate

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**MEMORANDUM**

United States Pacific Fleet,  
Commander Maritime,  
Guam, Marianas Islands.  
Tuesday, July 19, 1947.

The commission met at 9 a. m.

**Present:**

Rear Admiral Arthur G. Robinson, U. S. Navy,  
Lieutenant Colonel Henry K. Roscoe, Coast Artillery Corps, United States  
Army,  
Lieutenant Colonel Victor J. Garbarino, Coast Artillery Corps, United  
States Army,  
Lieutenant Colonel William K. Lamm, Junior, U. S. Marine Corps,  
Lieutenant Commander Bradford W. Lee, Junior, U. S. Naval Reserve,  
members, and  
Lieutenant Commander Joseph A. Hagan, U. S. Navy, and  
Lieutenant James F. Hany, U. S. Navy, judge advocates.  
Robert E. Miller, yeoman first class, U. S. Navy, reporter.  
The accused, their counsel, and the interpreters.

The record of proceedings of the eighteenth day of the trial was read  
and approved.

No witnesses not otherwise connected with the trial were present.

Finco, Otis, the witness under examination when the adjournment was  
taken, entered. He was warned that the oath previously taken was still  
binding, and continued his testimony.

(Cross-examination continued.)

109. Q. Yesterday you testified that you knew the Japanese in the truck with  
the two white men and then you said that none of the accused were in the  
truck. Is this correct?

A. None of the accused were on the truck.

110. Q. Now, the accused that you identified yesterday, did you know these  
people at the time of the incident or did you get to know them later on?

A. I recognized them before and also on the day of the incident.

111. Q. Do you remember what time of the day you first saw these two prisoners  
in the truck?

A. About two o'clock.

112. Q. And on that day you were employed at the hospital, were you?

A. I was.

113. Q. Do you remember what time you saw the Deck Officer with the two  
soldiers marching the prisoners up the hill?

A. About the two-thirty.

RECEIVED TO BE A TRUE COPY:

*James F. Hany*  
James F. Hany,  
Lieutenant, U. S. Navy,  
Judge Advocate

114. Q. Were any of the Japanese who were marching the prisoners, were they armed with bayonet and rifle or a sword?  
A. They had rifles with them.

115. Q. Did the Deck Officer have a rifle and a bayonet with him?  
A. To the best of my knowledge the Deck Officer did not have a rifle with him but I think he had a sword with him.

116. Q. Did you first see this truck in front of the Deck Officer's house?  
A. Yes.

117. Q. And when you saw Hama and the Deck Officer marching the prisoners up the hill, where were you at that time?  
A. I was outside the house of the Deck Officer.

118. Q. As soon as you saw them marching the prisoners up the hill, then you started to run to your house. Is that correct?  
A. About five minutes later I went up to my house.

119. Q. How long did it take you to get to your house from the Deck Officer's house?  
A. About five minutes.

120. Q. How far away is your house from the place where you saw the two prisoners hoisted up?  
A. I do not know the distance between them.

121. Q. Is it as far as from where you are sitting to the back of the room?  
A. To the best of my knowledge, it is about forty meters apart.

122. Q. Were you the only one at your house when you got there?  
A. Some Koreans were at my house that day.

123. Q. Did they also see what you saw?  
A. I do not know.

124. Q. How high up in the tree did you climb?  
A. I climbed to the top.

125. Q. Did you see the prisoners before you climbed up in the tree?  
A. When I climbed about one-half way up the tree, I could see the prisoners and I saw clearly when I climbed clear to the top.

126. Q. Could you see the twelve sentries before you climbed the tree?  
A. Yes, I saw them.

127. Q. Did you see anyone else except the twelve sentries?  
A. Yes, there were some besides those twelve sentries.

128. Q. Did any of them have rifles and bayonets?  
A. I do not know.

129. Q. You identified the head of the hospital. Did you see him stab the prisoners?  
A. I did not see him.

VERIFIED TO BE A TRUE COPY:

*John P. Henry*  
John P. Henry,  
Lieutenant, U. S. Navy,  
Rangoon, Burma

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130. Q. Did you see him cut with a sword?  
A. I did not see him.

131. Q. Did you see the Deck Officer stab the prisoner?  
A. No.

132. Q. Did you see the Deck Officer cut with a sword?  
A. No.

133. Q. Did you see him stab the prisoner? The counsel indicated the accused Oishi.  
A. I did not see him.

134. Q. Did you see him cut with a sword? The counsel indicated the accused Oishi.  
A. I did not see him.

135. Q. Did you see Kawashima stab the prisoner?  
A. I did not see him.

136. Q. Did you see Kawashima cut with a sword?  
A. No, I did not see him.

137. Q. Did you see Yoshizawa stab the prisoner?  
A. I do not remember.

138. Q. Did you see Yoshizawa cut with a sword?  
A. I do not remember.

139. Q. Is it not true that the person that you saw grab the prisoner's feet did so before the stabbers started to stab because the prisoner had fainted?  
A. After the stabbing.

140. Q. Did this person take the prisoner down from the position in which he was tied?  
A. From the same position it was, he just took hold of his two legs.

141. Q. You testified that you saw someone strike at the prisoner three times and yet not cut his head off. Could you see any cuts on the prisoner's head from where this person had cut at his head?  
A. On his neck.

142. Q. Could you see blood on his neck?  
A. Yes.

Examined by the judge advocate:

143. Q. Have you any recollection at this time what the twelve people in those two lines looked like?  
A. They were in two columns, six in each column with rifles and bayonets attached to the point of the rifles.

Neither the judge advocate nor the counsel desired further to examine this witness.

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James P. Henry,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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The commission did not desire to examine this witness.

The witness said that he had nothing further to state.

The witness was duly warned and withdrew.

The commission then, at 9:40 a. m., took a recess until 9:58 a. m., at which time it reconvened.

Present: All the members, the judge advocates, the reporter, the accused, their counsel, and the interpreters.

No witnesses not otherwise connected with the trial were present.

The judge advocate was called as a witness for the prosecution and was duly sworn.

Examined by the judge advocate:

1. Q. State your name and rank.

A. James P. Kenny, Lieutenant, U. S. Navy.

2. Q. What are your present duties?

A. I am a judge advocate of this commission and also associated with the office of the Director of War Crimes, Pacific Fleet.

3. Q. Are you the legal custodian of any documents which indicate the present whereabouts of one Hajiro Habetani?

A. I am. I have in my possession the original death certificate of Hajiro Habetani.

The original death certificate of Hajiro Habetani in Japanese was submitted to the accused and to the commission, and by the judge advocate was offered in evidence.

Mr. Suzuki, Saigo, a counsel for the accused, made the following objection:

We object to this document being introduced in evidence in that in a Japanese court in ascertaining the death of a certain person it is not sufficient to submit the death certificate alone. In Japan each person is registered at his birth place or his place of family residence. In case a person dies you take the death certificate to the place of registration and have it registered in the family register. In this case it cannot be ascertained that Habetani died by just introducing the certificate alone. This death certificate should be introduced with a certified copy from that family register, and in Japan this is especially true concerning legal matters and in the face of submitting this death certificate, I make this objection.

Commander Martin E. Carlson, U. S. Naval Reserve, a counsel for the accused, made the following objection:

Although the document that has been offered into evidence is the original and therefore we cannot object until it is translated by the court interpreter, yet there is sufficient evidence on the original certificate for us to call

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*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

the attention of the commission to the fact that this is not the best evidence and that the death certificate as offered into evidence shows the date of death to be only a presumption on the part of the person that signed the death certificate. In all death certificates the date of the death is an important fact, the cause of the death is again only a presumption, it so states on the certificate. We also call the attention of the commission to the fact that names in Japanese as in the United States are very similar, the fact that a death certificate is offered into evidence with the name Habetani, Reijiro, may well not be the same person that it is alleged is one of the accused in this present trial and who is alleged to have been deceased. For these reasons, we object to this death certificate being offered into evidence at this time.

The judge advocate replied.

4. Q. How did this document come into your possession?

A. This document came into the possession of the War Crimes Office, Pacific Fleet, pursuant to a request to the General Headquarters, Supreme Commander Allied Powers, who in turn made a request of the Imperial Japanese Government as to the whereabouts of Habetani, Reijiro. I have in my possession a letter from the Imperial Japanese Government Central Liaison Office to the General Headquarters, Supreme Commander Allied Powers, the subject of which is a report pertaining to Habetani, Reijiro's death.

5. Q. Was this death certificate received at the same time as that letter?

A. Yes, it was. The death certificate was an enclosure with this letter.

6. Q. Do you know who signed that death certificate?

A. Dr. Isami Yoshii.

The commission announced that the objections were not sustained and that the document would be received.

An interpreter read the death certificate of Habetani, Reijiro, original appended marked "Exhibit 4."

An interpreter read an English translation of "Exhibit 4," appended to "Exhibit 4."

7. Q. Do you have in your custody any papers dealing with the present whereabouts of one Ohyan, Takikazu?

A. I do. I have some correspondence from the General Headquarters, Supreme Commander for the Allied Powers, which indicates that a certified translation of a certification of registration from the registered family record of this individual is enclosed, indicating the date of Ohyan's death.

The accused moved to strike out this answer on the ground that the witness was reading from a document which had not been offered into evidence.

The judge advocate replied.

The commission announced that the motion to strike was denied.

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Lieutenant, U. S. N.  
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8. Q. This copy of a certificate of registered item, how did you receive this?

A. This document came into the office files of the office of the Director of War Crimes with which I am associated from General Headquarters, Supreme Commander for the Allied Powers, and correspondence in my possession indicates that the document in turn had been forwarded from the Central Liaison Office of the Imperial Japanese Government to the General Headquarters of the Supreme Commander for the Allied Powers.

9. Q. Is that an original document?

A. The document indicates that it is a translation of the original letter written by the party who made out this certificate of a registered item in the family registration record.

The certified translation of a registered item in the Family Registration Record regarding Okuyama, Shinichi, was submitted to the accused and to the commission, and by the judge advocate was offered in evidence.

Mr. Suzuki, Saine, a counsel for the accused, made the following objections:

We object to the death certificate being admitted as evidence on the following grounds: This document is merely a translation of the Japanese registration record. It is not the original document; therefore, there is no signature nor seal of the Chief of the Kojinshi-Ward. It is insufficient to prove the death of Okuyama, Tokiharu, merely by this document. Particularly, the person acknowledged to be dead in the document is Okuyama, Shinichi, and not Okuyama, Tokiharu, as alleged in the charges and specifications. Therefore, the document does not prove the death of Okuyama, Tokiharu.

Commander Martin E. Carlson, U. S. Naval Reserve, a counsel for the accused, made the following objections:

The accused objects to the introduction of this document which is offered into evidence to prove the death of Commander Okuyama, Tokiharu, because this is not the best evidence.

The prosecution alleges in Specification 1, Charge I, that Captain Iwanami with Okuyama, Tokiharu, deceased, and in Specification 2, Charge II, Captain Iwanami, acting with Okuyama, Tokiharu, deceased, did kill. In Charge II, Specifications 1 and 2, it is alleged Captain Iwanami did fail to discharge his duty as commanding officer of the Fourth Naval Hospital to control the operations of members of his command; namely, Okuyama, Tokiharu, deceased. In Specification 6 of Charge II, it is alleged that Captain Iwanami with Okuyama, Tokiharu, deceased, did prevent the honorable burial of eight American Prisoners of War.

The "Best Evidence Rule" is set forth briefly in Section 194 of Naval Courts and Boards: "Best evidence rule. This rule, briefly, forbids secondary evidence of the contents of a writing so long as the original is unaccounted for."

The document which the judge advocate offers is a translation of a registration record. In Section 199, Rule 4, relates to authentication. The

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James P. Henry,  
Lieutenant, U. S. Navy,  
Sigsbee Building

rule is "Every document or other writing offered in evidence must be authenticated; that is to say, its genuineness must be proved; this may be proved like any other fact--by calling a witness who saw it executed, or to testify as to handwriting."

Underhill, Criminal Evidence, page 123, says: "Primary evidence may be defined as the highest or best evidence, which from the abstract nature of the facts to be proved, is procurable, and which, under circumstances of the particular case, affords the greatest certainty of the fact, that is, renders the probability of its existence most evidence to the understanding. It is that evidence which does not indicate the existence of other evidence nearer the facts to be proved. Primary evidence is required to be produced where the circumstances of the case permit in order to establish any fact in issue."

This rule is so fundamental and is of such long standing that even a schoolboy knows this.

Why is the death of Okuyama important to the defense aside from the fact that it is put in issue by the judge advocate in drawing up the specifications? Okuyama, if alive, could testify in behalf of Captain Iwanami. He would no doubt be a party defendant if it were possible to find him. In our opinion, it is too easy to type up a sheet of paper which states a person is dead. This is certainly not allowed in civil courts. We know what strenuous efforts criminals make to hide their identity. They change their names and move to other cities. If in American civil courts they could so conveniently hide their identity by having a lawyer bring into court a sheet of paper typed up without even a signature and thereby prove them dead, justice would easily be defeated.

In this case, a Japanese national is proved dead by a typed piece of paper which is typed in English and is said by the judge advocate to be adequate proof of the death of an alleged war criminal. It isn't even a death certificate, but is said to be a translation of a registration record.

It is common knowledge that many Japanese are trying to escape by this very same method.

This document shows this person's name to be Okuyama, Shinichi, whereas the specifications allege the name Okuyama, Tokiharu. How does the judge advocate explain that. Oh, quite easily by saying that to establish a man's name in Japan you must get it from the man himself, and not from any writing or that Japanese characters often are similar and it could be possible that this dead person could be either Okuyama, Tokiharu, or Okuyama, Shinichi. If they had to prove Okuyama, Shinichi, dead, they would no doubt get someone to type up a piece of paper with the name Okuyama, Tokiharu, on it and offer it as evidence of the death of Okuyama, Shinichi.

The judge advocates have now, for the fourth time, tried to prove the death of four Japanese, and each time do it differently and in violation of all the rules of evidence.

In this instance, the judge advocate is a sworn witness, but he has no knowledge of the facts in issue other than what he reads on the paper he offers into evidence. He is by his own testimony not qualified as a witness regarding the death of Okuyama.

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*Frank J. [Signature]*  
Lieutenant, U. S. Navy,  
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Section 201, Naval Courts and Boards: "Rule 6. Hearsay rule. Where the author of a document does not appear as a witness, it remains only a hearsay statement and can be received only under some exception to the hearsay rule."

Again we call the commission's attention to the fact that the judge advocate is resorting to the use of a document which must be regarded as a deposition. He could easily have secured the testimony of a living witness to testify as to the death of Ohyama, Tokiharu. Instead, he offers into evidence a writing. We maintain this is using a deposition.

We know not from personal knowledge of the Japanese requirements, but from our knowledge of the requirements to prove death of a person in our own armed forces that this is not the way to do it.

It is just as important to prove the death of Ohyama, Tokiharu, properly in this case as in any other case, such as an insurance case.

We maintain this document is not the best evidence of the death of Ohyama, Tokiharu, and object to this document being accepted into evidence.

The judge advocate replied and pointed out that the Japanese characters for the first names "Shinichi" and "Tokiharu" are similar. This was verified by an official Japanese interpreter, Mr. Sam Ueda, who was present in court.

The commission announced that the objections of the accused were not sustained and that the document would be received.

10. Q. Will you read this document?

The witness read the English translation of a registered item in the Family Registration Record regarding Ohyama, Shinichi, appended marked "Exhibit 5."

An interpreter read a Japanese translation of "Exhibit 5."

Cross-examined by the accused:

11. Q. In connection with the first document that was offered into evidence, did you personally make a request for this document?

A. No, that request was from the Director of War Crimes, Pacific Fleet, in whose office I work, and the request was to locate the whereabouts of Habetani, Seihiro, and it was as a result of that request that the Imperial Japanese Government forwarded this document through channels to the Director of War Crimes.

12. Q. Were you in the office of war crimes when that document came to that office?

A. I was.

13. Q. Is any record kept of incoming documents in this war crimes office?  
A. That would be a person's work and I am not familiar with whether or not records are kept of these documents.

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James P. Henry,  
Lieutenant, U. S. Navy,  
Judge Advocate.

14. Q. Is the document stamped to show the date that it came into the files of the war crimes director?

A. There are a number of date stamps, some of them I am not able to identify; however, there is one that states that it passed through General Headquarters, Supreme Commander for the Allied Powers, on 7 January 1947.

15. Q. Do you know the signature of the person who you say signed this death certificate?

A. I do not believe that I said anyone signed the death certificate. I am not familiar with the signature.

16. Q. Did you personally make a request for the Okuyama document?

A. No. That request was made in the same fashion in which I described the request about Habetani.

17. Q. Were you in the office of war crimes when the Okuyama document came to the war crimes office?

A. That I am not able to say.

18. Q. Is there any stamp on the document to show that it was officially received in the office of the Director of War Crimes, Marianas?

A. There is a notation on the covering letter stating: "Received Commander Marianas per letter dated 5 August 1946" and this notation is initialed, but I am not able to make out the initials.

19. Q. Is the Okuyama document signed?

A. It bears the signature of Lieutenant Hirsch.

20. Q. Is this document an original document?

A. It is not.

21. Q. Do you know where the original is?

A. Since the document states that it is a copy of the register, I presume that it is in the home town of the deceased.

22. Q. Can you say whether the Habetani document is an original document?

This question was objected to by the judge advocate on the ground that it called for the opinion of the witness.

The accused replied,

The commission announced that the objection was sustained.

Neither the judge advocate nor the accused desired further to examine this witness.

The commission did not desire to examine this witness.

The witness resumed his seat as a judge advocate.

The prosecution rested.

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*John P. Henry*  
John P. Henry,  
Lieutenant, U. S. Navy,  
Judge Advocate

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Commander Martin E. Carlson, U. S. Naval Reserve, a counsel for the accused, made the following motion:

The accused moves that the commission direct an acquittal of Captain Isumami, Hiroshi, surgeon captain, IJN, of specifications 1 and 2 of Charge I and specifications 1, 2, 3, 4, 5, and 6 of Charge II. Under Captain Isumami's plea of not guilty no admission of a cause of action can be implied. "This plea puts in issue the credibility of the state's evidence even if it is otherwise uncontradicted, because of the presumption of innocence which compels a determination by the jury." Underhill, Criminal Evidence, page 992.

We maintain that the corpus delicti has not been proved by the judge advocate in the above specifications and therefore there should be a directed verdict of not guilty as to specifications 1 and 2 of Charge I and specifications 1, 2, 3, 4, 5, and 6 of Charge II.

Some of the evidence particularly the testimony of Nakamura, Shigeyoshi, surgeon lieutenant, IJN, we point out, might well not be competent evidence in the light of what we said when we moved for a mistrial. In footnote 93 of page 993 of Underhill's Criminal Evidence, we read the following in support of the statement: "If there is no evidence tending to prove the offense charged, and the only issue is one of law, it is the duty of the court to direct an acquittal, and in some jurisdictions erroneous not to do so."

Footnote 93 in Jackson v. State, 178 Ala. 76, 60 So. 97: "Though the corpus delicti is proved beyond a reasonable doubt, a verdict should be directed for the accused if there be no competent evidence connecting him with the crime. Marin v. State, 17 Ala. App. 320, 85 So. 42."

"Where the only evidence against the accused is incompetent, a directed verdict for him should be given. Cobb v. State, 17 Ala. App. 479, 85 So. 870." People v. Besold, 154 Cal. 369, 97 Pac. 871."

"The court must advise the jury to acquit when it considers the evidence insufficient to convict, but such advice does not bind the jury. State v. Downing, 23 Idaho 540, 130 Pac. 461."

State v. Love, 1 Ind. App. 553, 27 N. E. 878. "It is not error to direct a verdict for the accused, when there is no evidence to prove the offense. State v. McCaffrey, 181 Ind. 200, 103 N. E. 801."

Kentucky. Pace v. Commonwealth, 170 Ky. 560, 186 S. W. 142; Utterback v. Commonwealth, 190 Ky. 138, 226 S. W. 1065; Kilison v. Commonwealth, 190 Ky. 305, 227 S. W. 458.

"Evidence which merely raises a surmise or conjecture, or the possibility of a fact in issue, or creates only a suspicion of guilt should not be left to the jury. Saylor v. Commonwealth, 158 Ky. 768, 166 S. W. 254. See also People v. Scharf; 217 N. Y. 204, 111 N. E. 758; State v. Clark, 173 N. Car. 739, 91 S. E. 372. Massachusetts Commonwealth v. Lowrey, 158, Mass. 18, 32 N. E. 948. Michigan People v. Minney, 155 Mich. 534, 119 N. W. 918."

We hold that the evidence which the prosecution has offered only raises a surmise or conjecture, and only creates a suspicion of guilty on the part

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Judge Advocate

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of Captain Iwanami, particularly is this true of Charge II. No evidence has been introduced to prove that Captain Iwanami had any duty as head of the hospital at Truk to control the personnel as he is charged in the specifications under Charge II. We continue to quote footnote 93 on page 993, Underhill.

New York. "In cases of weak and unsatisfactory evidence, the court can always impress a jury with the benign principles of the common law, established for the protection of the innocent, that the prosecution are bound to establish a clear case, that the prisoner is entitled to the benefit of all reasonable doubts, and that it is better that many guilty prisoners should escape than that one innocent person should be punished; and there may be cases so weak upon the facts as to justify the advice of the court that it is unsafe in the particular case to convict." *People v. Bennett*, 49 N. Y. 137.

Certainly the evidence which the prosecution has offered in this case as against Captain Iwanami in Charge II and specifications one and two of Charge I is both weak and unsatisfactory. As we have said, there is no evidence to show that Captain Iwanami had any duty to control the persons mentioned in these specifications.

Then the testimony of Lieutenant Makamura who when half way through cross-examination was no longer made available for cross-examination is, in the light of that, very weak evidence. In fact, it should not even be considered by the commission in deciding the case. It is true that the commission denied our motion for a mistrial and also denied our motion to expunge the testimony, but nevertheless, such testimony under the circumstances becomes incompetent.

Underhill continues on page 993. "And, when the evidence is insufficient in the opinion of the court to support a conviction on a motion for a new trial, it becomes its duty to direct an acquittal." Citing footnote 94 Federal. *Duff v. U. S.* 185 Fed. 101; *Isbel v. U. S.* 227 Fed. 788.

"Whether the corroboration of a discredited witness is sufficient to submit the case to the jury is a question of law, *U. S. v. Murphy*, 253 Fed. 404." Underhill's *Criminal Evidence*, page 944, footnote 94.

We cite this rule because the testimony of the witness we believe to be discredited by his subsequent action resulting in failure to appear as a witness subject to further cross-examination.

We call the commission's attention to the rule laid down in *Enlow v. State*, 15 Ala. App. 100, 72 S. 571 (Petit larceny) found in footnote 94 on page 994 of Underhill's *Criminal Evidence*. This rule is: "It is error to refuse the affirmative charge where the evidence shows that the crime charged was not committed within the period of the statute of limitations."

8 We have already pointed out to the commission the statute of limitations as set forth in Article 61, Articles for the Government of the Navy. We quote "Article 61. Limitation of trials; offenses in general. No person shall be tried by court martial or otherwise punished for any offense, except as provided in the following article which appears to have been committed more than two years before the issuing of the order for such trial or punishment, unless by reason of having absented himself, or of some other manifest impediment he shall not have been amenable to justice within that period. (R.S. sec. 1624, art. 61; Feb 25, 1895, c. 128, 28 Stat. 680.)"

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*James H. Kanny*  
Lieutenant, U. S. Navy,  
Judge Advocate.



Ever since August 14, 1945, Captain Iwanami has been a prisoner of war. The crimes are alleged to have taken place in January, February, and July, 1944, and this accused was not served with the charges and specifications until May 8, 1947. The only evidence which the prosecution submitted against Captain Iwanami was the testimony of Lieutenant Nakamura. In Reynolds v. State, 14 Arizona 302, 127 Pac. 371, cited in footnote 94, page 994 of Underhill's Criminal Evidence, we read: "The court should direct a verdict of acquittal when there is no evidence of the guilt of the defendant other than that of an accomplice." Does the prosecution maintain that their witness was not an accomplice? This commission can easily determine this by reading again the testimony of Lieutenant Nakamura, Shigeyoshi, which testimony is still a part of the proceedings of this case even though the witness is said to be dead. His death as you recall we held to be not legally proved by the mere statement of Lieutenant Gilmore who could only say Lieutenant Nakamura is now dead. Why a competent doctor was not called to prove Nakamura's death, we do not know.

In Blankenship v. Commonwealth, 147 Ky. 768, 145 S. W. 752 it is held "The right to give a peremptory instruction is the same in civil and criminal proceedings." For all the above reasons and as we have specifically stated the grounds on which we have based our request for a directed acquittal we ask that the commission find Captain Iwanami, Hiroshi, IJN, not guilty of specifications 1 and 2 of Charge I and specifications 1, 2, 3, 4, 5, and 6 of Charge II and do therefore acquit him at this time of the above charges as they relate to these specifications.

The accused waived the reading in Japanese in open court of the motion of counsel for the accused.

The judge advocate replied.

The accused waived the reading in Japanese of the reply of the judge advocate.

The commission announced that the motion was denied.

Commander Martin E. Carlson, U. S. Naval Reserve, a counsel for the accused made the following motion:

The accused moves that the commission direct an acquittal of Lieutenant Commander Kanikawa, Hidehiro, IJN,

As in our motion in the case of Captain Iwanami, we ask that the commission consider all that we said at that time. We ask that the record specifically show that our reasons given in behalf of Captain Iwanami apply also in the case of Lieutenant Commander Kanikawa.

Lieutenant Commander Kanikawa's plea of not guilty puts in issue the credibility of the judge advocate's evidence even if it is otherwise uncontroverted, because of the presumption of innocence which compels a determination by the jury.

Some few witnesses testified that they faintly recalled that Lieutenant Kanikawa was on the hill that afternoon. Not a single witness testified that

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Judge Advocate.

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he saw Lieutenant Kamikawa do an overt act. In fact, they all testified that Lieutenant Kamikawa did not even assault, strike and kill, by bayoneting with fixed bayonets, spearing with spears, and beheading with swords, two American Prisoners of War. Not having done these things at all, Lieutenant Kamikawa cannot be found guilty of doing them wilfully, feloniously, with premeditation and malice aforethought, and without justifiable cause.

It can certainly be said that there was no evidence introduced by the prosecution to prove the offense charged which is murder. Even if the commission are to believe the few witnesses who testified they saw Lieutenant Kamikawa on the hill that afternoon, such evidence clearly does not connect him with the crime of murder. Lieutenant Kamikawa was the adjutant at the Fourth Naval Hospital. Captain Taneda testified that all the officers, including Lieutenant Kamikawa, objected to prisoners being brought to the hospital for any experiments. Since Lieutenant Kamikawa objected, any influence, therefore, as to why he might have been on the hill that afternoon must be resolved in his favor and he is only there because he was ordered to be there.

What little evidence the judge advocate did introduce against Lieutenant Kamikawa merely raised a conjecture or the possibility of a fact in issue or created only a suspicion of guilt and should not be left as it were to the jury to decide. Since the commission is both judge and jury, they should decide at this time that the innocence of Lieutenant Kamikawa is still a fact.

Can an officer be found guilty of murder if he does nothing more than attend as he is ordered to do so, an assembly at which two prisoners are bayoneted by orders of the commanding officer. He did object, but to no avail. He could not stop the execution of these two persons. The evidence shows he did nothing but attend and that fact is not proved beyond a reasonable doubt.

Sections 158 and 159 of Naval Courts and Boards defines reasonable doubt. Section 426 states that the accused shall not be found guilty of any charge or specification or of any offense included in it unless a majority of the court are convinced of his guilt beyond a reasonable doubt.

The prosecution have failed to establish a clear case against Lieutenant Kamikawa. Lieutenant Kamikawa is entitled to the benefits of all reasonable doubts. As we have pointed out in our motion made in behalf of Captain Iwanami, the court in *People v. Bennett* said, "It is better that many guilty prisoners should escape than that one innocent person should be punished."

The crime alleged took place in July, 1944, and Lieutenant Commander Kamikawa was not served with charges and specifications until May 8, 1947. Article 61, A. G. N., as we pointed out previously provides for a statute of limitations of two years. Lieutenant Commander Kamikawa was taken prisoner at the termination of hostilities, August 14, 1945, but was released as a prisoner of war and returned to Japan. He did nothing to abet himself and was always amenable to justice, yet not until May 8, 1947, nearly three years after the charge was he served with the specifications.

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James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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The only evidence which was introduced was by persons who themselves were ordered to be on the hill. In Reynolds v. State, 14 Arizona 302, 127 Pac. 371, cited in footnote 94, page 994 of Underhill's Criminal Evidence, the rule is: "The court should direct a verdict of acquittal when there is no evidence of the guilty of the defendant other than that of an accomplice."

The doing of an act while in military service because of superior orders analogous to case of a married woman cited in footnote 94 on page 994 of Underhill's Criminal Evidence. The case of State v. Martini, 80 N. J. L. 685, 78 Atl. 12 laid down the rule: "A married woman charged with the commission of an illegal act was entitled to a directed verdict of acquittal where the evidence shows that such act was committed under the direction of her husband."

Because of what we said in support of our motion in behalf of Captain Iwanami and as we have specifically pointed out to the commission, the grounds for a directed verdict of acquittal in the case of Lieutenant Commander Kanikawa we ask that the commission find Lieutenant Commander Kanikawa not guilty of specification 3 of Charge I, and does therefore acquit him of the charge of murder.

The accused waived the reading in Japanese in open court of the motion of counsel for the accused.

The judge advocate replied.

The accused waived the reading in Japanese of the reply of the judge advocate.

The commission announced that the motion was denied.

Commander Martin E. Carlson, U. S. Naval Reserve, a counsel for the accused, made the following motion:

The accused moves that the commission direct an acquittal of Lieutenant Oishi as to specification three of charge one for the same reasons as in the previous two motions for directed acquittal. We point out to the commission that the failure of many of the witnesses for the prosecution to identify Oishi as doing any of the things that he is alleged to have done as alleged in specification three of charge one. Particularly do we call the commission's attention to the Trukese witnesses in which they definitely stated that Oishi did not stab nor spear nor beat these two prisoners. For these reasons and for the reasons we stated before in the other requests for the acquittal of Iwanami and Kanikawa we ask for a directed acquittal in the case of Oishi.

An interpreter read a Japanese translation of the motion of Commander Carlson.

The judge advocate replied.

An interpreter read a Japanese translation of the reply of the judge advocate.

The commission announced that the motion was denied.

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*James P. Keady*  
James P. Keady,  
Lieutenant, U. S. Navy,  
Jalisco A. B. Co.

Commander Martin E. Carlson, U. S. Naval Reserve, a counsel for the accused, made the following motion:

The accused moves that the commission direct an acquittal of Asamura. Under Asamura's plea of not guilty no admission of a cause of action can be implied. His plea put in issue to the credibility of the prosecution's evidence because of the presumption of innocence. We point out that very few if any of the prosecution's witnesses have even identified Asamura; we question the credibility of those that have identified him. One of the witnesses testified that there were two officers from the Forty-first Naval Guard Unit and because he has been identified as being from the guard unit certainly is no evidence that he is the officer. The presumption is one of innocence, not guilt. For the reasons that we stated in the cases of Iwanami, Kanikawa and Oishi, we ask for a directed acquittal in the case of Asamura.

An interpreter read a Japanese translation of the motion of Commander Carlson.

The judge advocate replied.

An interpreter read a Japanese translation of the motion of Commander Carlson.

The judge advocate replied.

An interpreter read a Japanese translation of the reply of the judge advocate.

The commission announced that the motion was denied.

Commander Martin E. Carlson, U. S. Naval Reserve, a counsel for the accused, made the following motion:

The accused moves that the commission direct an acquittal of Sakagami for the same reasons that we gave in the case of Iwanami, we maintain that the directed acquittal should be given in the case of Sakagami. By his plea of not guilty, he put in issue the credibility of the prosecution's evidence even if it was otherwise uncontradicted because of the presumption of innocence. We point out to the commission that Sakagami is only charged in one specification of charge one. The only direct evidence that we have in the case of Sakagami was by Nakamura; half way through the cross-examination, the prosecution announced that Nakamura was dead and it could not further produce him as a witness. The only other evidence was the evidence by Trukese natives but this was only circumstantial evidence. These persons were not on the hill nor did they see nor could they testify to the acts that Sakagami is alleged to have done as shown in specification two of charge one. For these reasons we ask that the commission find a directed verdict of not guilty in the case of Sakagami and therefore acquit him.

An interpreter read a Japanese translation of the motion of Commander Carlson.

The judge advocate replied.

An interpreter read a Japanese translation of the reply of the judge advocate.

The commission announced that the motion was denied.

The commission then, at 11:28 a. m., took a recess until 2 p. m., at which time it reconvened.

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JAMES H. HANNEY  
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JAMES H. HANNEY



Present: All the members, the judge advocates, the accused, their counsel, and the interpreters.

Joseph Kase, junior, yeoman second class, U. S. Navy, reporter.

No witnesses not otherwise connected with the trial were present.

Commander Martin H. Carlson, U. S. Naval Reserve, a counsel for the accused, made the following motion:

The accused moves that the commission record acquittal of Yoshizawa, Kenseburo; of Numa, Watanabe, Tanabe, Kawashima, Sawada, Tanaka, Akahori, Kumbara, Tsutsui, Hamatani, Takaishi, and Higashimaki. Under their plea of not guilty, no admission of guilt of an accused can be implied. This plea of not guilty on their part put in issue the credibility of the present evidence, even if it was otherwise uncontradicted. The evidence against these enlisted men was evidence which was not responsible, not competent evidence. We hold that the only issue concerned, so far as these enlisted men are concerned, is one of law. Can these enlisted men be guilty of murder when they were ordered to do the act with which they are charged? If the commission decides that it is purely an issue of law, then we feel that the offense as laid down has not been proved, and if there is no evidence tending to prove the offense charged, the only issue is one of law, it is the duty of the court to direct acquittals. In the case of some of these enlisted personnel, we hold that the corpus delicti is not proved beyond a reasonable doubt, *Martin v. State*, 17 Ala. App. 310, 85 So. 42, "Though the corpus delicti is proved beyond a reasonable doubt, a verdict should be directed for the accused if there be no competent evidence connecting him with the crime."

"Where the only evidence against the accused is incompetent, a directed verdict for him should be given." *Cobb v. State*, 17 Ala. App. 479, 85 So. 870.

"Evidence which merely raises a surmise or conjecture, or the possibility of a fact in issue, or creates only a suspicion of guilt should not be left to the jury." *Saylor v. Commonwealth*, 158 Ky. 766, 166 S. W. 254. See also *People v. Scharf*; 217 N. Y. 204, 111 N. E. 798; *State v. Clark*, 173 N. Car. 739, 91 S. E. 372.

We hold that the evidence which the prosecution has just presented in connection with these enlisted men only raises a surmise or conjecture, and only creates suspicion of guilty on the part of these enlisted men.

We quote from footnote 93 on page 999, *Underhill's Criminal Evidence*, the New York cases: "In cases of weak and unsatisfactory evidence, the court can always impress a jury with the benign principles of the common law, established for the protection of the innocent, that the prosecution are bound to establish a clear case, that the prisoner is entitled to the benefit of all reasonable doubts, and that it is better that many guilty prisoners should escape than that one innocent person should be punished; and there may be cases so weak upon the facts as to justify the advice of the court that it is unsafe in the particular case to convict." *People v. Bennett*, 49 N. Y. 137.

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*James P. Kase*  
Joseph Kase, Jr.,  
Yeoman Second Class, U. S. Navy.  
Judge Advocate

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The prosecution evidence offered in this case against these enlisted men is weak and unsatisfactory. There is no real clear cut evidence to show that any of them participated as they are charged, "wilfully, feloniously, with premeditation and malice aforethought, and without justifiable cause."

The evidence also shows that this crime which is alleged was committed in July of 1944. We did object that the commission had no jurisdiction because the statute of limitations were run against this crime. Now that was before the prosecution proved they did take place at that time. Now, that as they say that it took place in July of 1944, these accused were not served with the specifications until May 8, 1947, we point out to the commission that the statute of limitations prohibits the conviction on a crime on which the statute of limitations has run. Underhill's, page 993: "It is error to refuse the affirmative charge where the evidence shows that the crime charged was not committed within the period of the statute of limitations."

The accused waived the reading of this motion in Japanese in open court at this time.

Mr. Suzuki, Seiso, a counsel for the accused, read a written motion for the commission to direct a finding of not guilty for the accused, appended marked "V."

An interpreter read an English translation of Mr. Suzuki's motion, appended marked "W."

Mr. Karasawa, Takami, a counsel for the accused, read a written motion for the commission to direct a finding of not guilty for the accused, appended marked "X."

An interpreter read an English translation of Mr. Karasawa's motion, appended marked "Y."

Mr. Kuwata, Hideo, a counsel for the accused, read a written motion for the commission to direct a finding of not guilty for the accused, appended marked "Z."

An interpreter read an English translation of Mr. Kuwata's motion, appended marked "AA."

The judge advocate replied.

The accused waived the reading of the reply of the judge advocate in Japanese in open court at this time.

The commission was cleared. The commission was opened, and all parties to the trial entered. The commission announced that the motion of the accused was denied.

Defense counsel requested a two week adjournment in order to complete the preparation of its case and to obtain some necessary witnesses.

The judge advocate replied.

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James H. Kinnery,  
Lieut. Comdr., U. S. Navy,  
Judge Advocate.

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The commission was cleared. The commission was opened, and all parties to the trial entered.

The commission announced that the request for a two week adjournment was not approved, but that the commission would grant an adjournment of one week.

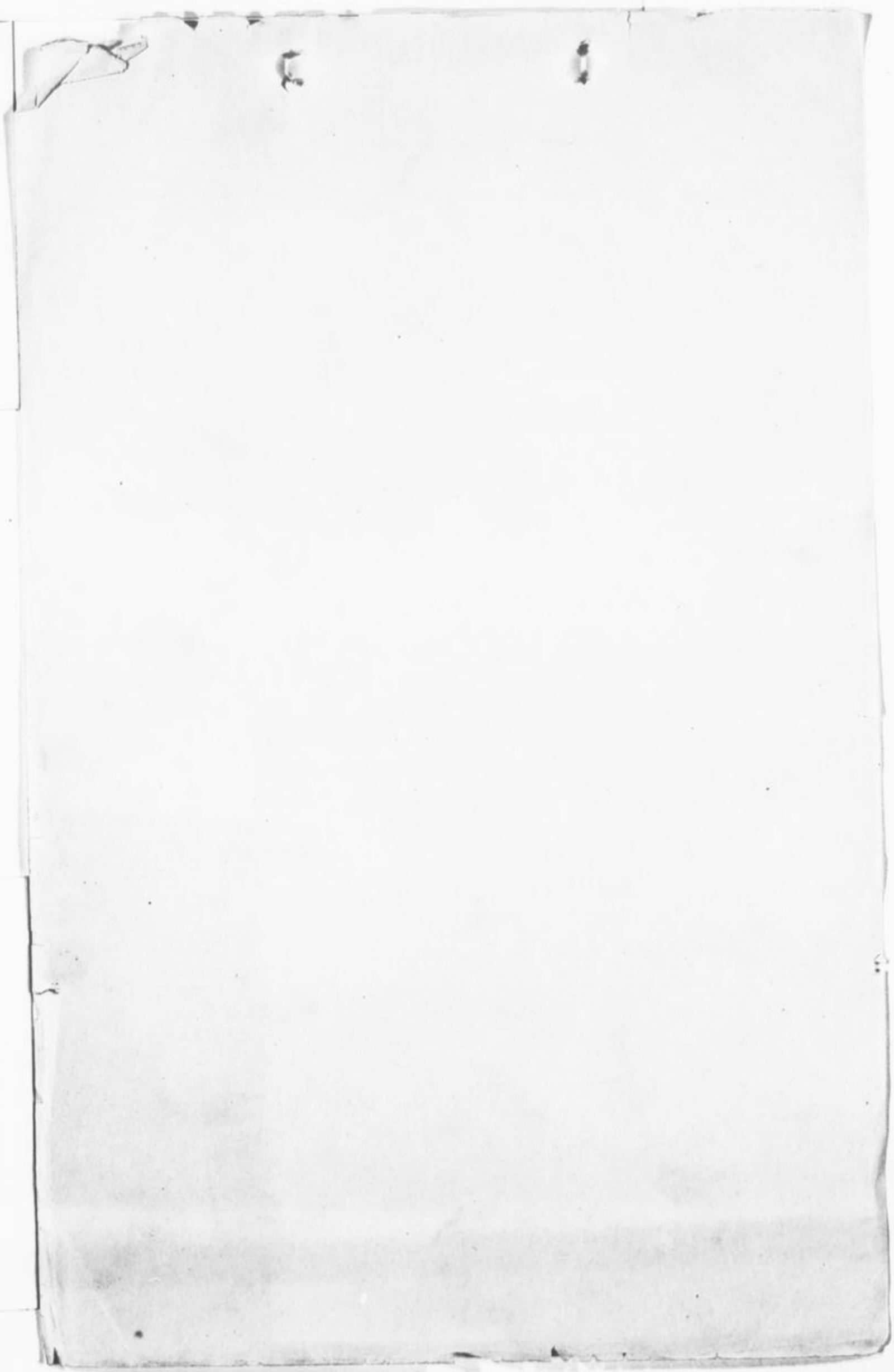
The commission then, at 3:36 P. M., adjourned until 9 a. m., Wednesday, July 23, 1947.

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*James P. Kenny*  
James P. Kenny,  
Lieutenant, U. S. Navy,  
Judge Advocate.

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